

AGENDA



For a meeting of the
LICENSING COMMITTEE
to be held on
FRIDAY, 7 DECEMBER 2012
at
11.00 AM
in the
COUNCIL CHAMBER, COUNCIL OFFICES, ST. PETER'S HILL, GRANTHAM NG31 6PZ
Beverly Agass, Chief Executive

Committee Members:	Councillor Mark Ashberry, Councillor Pam Bosworth (Chairman), Councillor Robert Broughton, Councillor George Chivers, Councillor Breda Griffin, Councillor Reginald Howard, Councillor Vic Kerr, Councillor Graddon Rowlands, Councillor Bob Russell (Vice-Chairman), Councillor Mrs Jean Taylor and Councillor Frank Turner
Committee Support Officer:	Lucy Bonshor 01476 40 61 20 l.bonshor@southkesteven.gov.uk

Members of the Committee are invited to attend the above meeting to consider the items of business listed below.

1. APOLOGIES

2. DISCLOSURE OF INTERESTS

Members are asked to disclose any interests in matters for consideration at the meeting.

3. MINUTES OF THE MEETING HELD ON 2ND NOVEMBER 2012

(Enclosure)

EXCLUSION OF THE PUBLIC

It is anticipated that, in accordance with Section 100A(4) of the Local Government Act 1972 (as amended) the public may be excluded from the meeting during consideration of the following item of business because of the likelihood that otherwise exempt information, as described in paragraphs 1 and 2 of the Act (as amended) would be disclosed to the public.

4. DECISION TO SUSPEND OR REVOKE A HACKNEY CARRIAGE DRIVER'S LICENCE

Report CSL024 by the Community Safety & Licensing Service Manager.

(Enclosure)

5. ANY OTHER BUSINESS WHICH THE CHAIRMAN, BY REASON OF SPECIAL CIRCUMSTANCES, DECIDES IS URGENT.

MINUTES

LICENSING COMMITTEE
FRIDAY, 2 NOVEMBER 2012



COMMITTEE MEMBERS PRESENT

Councillor Mark Ashberry
Councillor Pam Bosworth (Chairman)
Councillor Robert Broughton
Councillor George Chivers
Councillor Breda Griffin

Councillor Reginald Howard
Councillor Graddon Rowlands
Councillor Bob Russell (Vice-Chairman)
Councillor Mrs Jean Taylor
Councillor Frank Turner

OFFICERS

Licensing Officer (Richard Etherton)
Solicitor to the Committee (Paul Rushworth)
Democratic Officer (Lucy Bonshor)

12. APOLOGIES

An apology for absence was received from Councillor Vic Kerr.

13. DISCLOSURE OF INTERESTS

None disclosed.

14. MINUTES OF THE MEETING HELD ON 19TH OCTOBER 2012

The minutes of the meeting held on 19th October 2012 were agreed as a correct record of the decisions taken.

EXCLUSION OF THE PUBLIC

In accordance with Section 100A 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 the Schedule 12A of the Act.

15. REVIEW OF HACKNEY CARRIAGE DRIVER'S LICENCE

Decision:

That on this occasion the Committee was minded to take no further action. However, the Committee did consider the seriousness of the hackney carriage driver's conduct warranted a strong warning and a reminder that if he appeared before the Committee again he could face suspension or the revocation of his licence.

The Solicitor to the Committee introduced those present and confirmed the name of the Hackney Carriage Driver before the Committee.

The Licensing Officer then presented exempt report CSL023 which concerned a review of a Hackney Carriage Driver's Licence. The Licensing Officer listed the events surrounding the review and referred Members to the appendices of the report and answered Members question thereon.

The Hackney Carriage Driver then presented his case and answered Members questions. He said that he was sorry and that it would not happen again.

The Licensing Officer then gave his closing statement and the options available to the Committee:

- (a) Revoke the hackney carriage driver's licence on the grounds that the applicant was not a fit and proper person to hold such a licence under section 61(1) (a) (b) of the Local Government (Miscellaneous Provisions) Act 1976.
- (b) Suspend the hackney carriage driver's licence.
- (c) Take no action.
- (d) Issue a warning to the licence holder.

(10.56 Licensing Officer and driver left the meeting)

Members discussed the information they had before them and the details that they had received. Although they felt that the conduct of the driver was serious they felt that most of it had been an oversight on his behalf. The Committee was particularly concerned that the driver might have been driving without a DVLA licence but there was insufficient evidence to conclusively support the same. On balance, with the overriding concern being public safety, the Committee decided that the behaviour complained of did not warrant a suspension or revocation of his licence on this occasion. It was proposed, seconded and agreed to issue a strong warning to the driver over his future conduct and that he retain his Hackney Carriage Licence.

(11.05am Licensing Officer and driver return to the meeting)

The Solicitor to the Committee read out the decision. The Committee had

considered the information before them and on this occasion they had decided to take no further action. They had considered the seriousness of the matter but accepted that it had been an oversight on the part of the driver. However, further breaches of the policy would be looked at seriously and could result in a suspension or revocation of the licence.

16. CLOSE OF MEETING

The meeting closed at 11.08am.

Agenda Item 4

By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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