

# MINUTES

LICENSING COMMITTEE  
FRIDAY, 7 DECEMBER 2012



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## COMMITTEE MEMBERS PRESENT

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

Councillor Reginald Howard  
Councillor Vic Kerr  
Councillor Graddon Rowlands  
Councillor Mrs Jean Taylor

## OFFICERS

Licensing Officers ( Pam Robinson, Richard Etherton)  
Solicitor to the Committee ( Paul Rushworth)  
Democratic Officer (Lucy Bonshor)

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## 17. APOLOGIES

Apologies for absence were received from Councillor Broughton and Councillor Russell.

## 18. DISCLOSURE OF INTERESTS

Although no interest was given at the beginning of the meeting Councillor Howard realised that he had an interest during the course of the meeting and left the meeting at 11.50am and took no part in the discussion or the decision.

## 19. MINUTES OF THE MEETING HELD ON 2ND NOVEMBER 2012

The minutes of the meeting held on 2nd November 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 Schedule 12A of the Act.

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

**Decision:**

***The Committee were minded that on this occasion to take no further action. However, the Committee did consider the seriousness of the hackney carriage driver's conduct and a strong warning was issued about the driver's future conduct and that if he appeared before the Committee in the future stronger action might be taken.***

The Solicitor to the Committee introduced those present and confirmed the name of the driver present.

Members had before them report CSL024 which concerned the review of a Hackney Carriage and Private Hire Driver's Licence. The Licensing Officer detailed the reason for bringing the driver before the Committee.

The Driver then presented his case and answered Members questions thereon.

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

- 1) Suspend the licence to drive a hackney carriage or private hire vehicle.
- 2) Revoke the licence to drive a hackney carriage on the grounds that the applicant is not a fit and proper person to hold such a licence under section 59 (1) of the Local Government (Miscellaneous Provisions) Act 1976; or

If the Committee decided that the allegations against the driver did not affect public safety they could decide to take no further action.

*(11.55am the Licensing Officers and applicant left the meeting)*

Members discussed the information they had before them and the representations received during the meeting. Members felt that the driver was apologetic for his conduct; he had suggested that he acted in self defence and it was the first time he had been brought before the Committee or been in contempt of the criminal law. Although the Committee agreed the seriousness of the incident they did not feel that it warranted the suspension or revocation of his licence. It was therefore unanimously agreed to take no further action but that the driver should be warned as to his future conduct.

*(12noon the Licensing Officers and applicant returned to the meeting)*

The Solicitor to the Committee read out the decision. The Committee had considered all the information before them and on this occasion decided that no further action was required. However, they did agree that the incident was

serious and issued a strong warning as to the driver's future conduct and that if he appeared before the Committee again the decision would be different.

**21. CLOSE OF MEETING**

The meeting closed at 12 noon.