

Licensing Committee (Hackney Carriage)

Thursday 30 September 2010

PRESENT:

Councillor Fox, in the Chair.
Councillor Delbridge, Vice Chair.
Councillors Drean, Haydon, Rennie and Reynolds.

Apologies for absence: Councillor Bowie

Also in attendance: Sharon Day (Lawyer) and Mark Small (Licensing Officer)

The meeting started at 10.00 am and finished at 4.55 pm.

Note: At a future meeting, the committee will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.

59. DECLARATIONS OF INTEREST

The following declaration of interest was made in accordance with the Code of Conduct in relation to an item under discussion at this meeting –

Name	Subject	Reason	Interest
Councillor Haydon	Minute 69 – Application for the grant of a Hackney Carriage Driver's Licence	Relative by Marriage	Personal

60. MINUTES

Agreed that the minutes of the meeting held on 2 September 2010 are confirmed as a correct record.

61. CHAIR'S URGENT BUSINESS

There were no items of Chair's urgent business.

62. APPEAL CASES

The committee was advised that there had been no new appeal cases since the last committee meeting.

63. LICENSED HACKNEY CARRIAGE DRIVER REVIEW OF LICENCE STATUS - K W ELLIOT

The Committee having –

- (a) considered the report of the Director for Community Services;
- (b) heard from the Licensing Officer that K W Elliot had not attended the committee hearing and no notification regarding his absence had been received;

Agreed that a letter be sent to K W Elliot by recorded delivery inviting him to attend the next available hearing and if he failed to attend warning him that the matter would be considered in his absence

64. EXEMPT INFORMATION

Agreed that under Section 100(A)(2) and (4) of the Local Government Act, 1972, the press and public are excluded from the meeting for the following items of business on the grounds that they involve the

likely disclosure of confidential/exempt information as defined in paragraph 4 of Part 1 Schedule 12A of the (Local Government Access to Information) Act 1985, as amended by the Freedom of Information Act 2000.

65. **CONFIDENTIAL MINUTES (E3 AND E7)**

Agreed that the confidential minutes of the meeting held on 2 September 2010 are confirmed as a correct record.

66. **LICENSED HACKNEY CARRIAGE DRIVER APPLICATION FOR EXEMPTION - JCB (E3 AND E7)**

Due to JCB's non attendance at Committee, Members agreed that his application for exemption is held on file until such time as he contacts the licensing department.

67. **APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER LICENCE - PRB (E3 AND E7)**

The committee having –

- (a) considered the report from the Director for Community Services;
- (b) heard from PRB;
- (c) taken into account all that was said.

Agreed that the application is granted subject to him completing the medical and driving examination. He must also complete the VRQ (or equivalent) driver qualification in 'Transporting passengers by Taxi and Private Hire' within the first 12 months of being granted the licence.

(Note: there is a confidential part of this minute).

68. **APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER LICENCE - MBS (E3 AND E7)**

The committee having –

- (a) considered the report from the Director for Community Services;
- (b) heard from MBS;
- (c) taken into account all that was said.

Agreed that the application be granted and that MBS is required to complete the VRQ (or equivalent) driver qualification in 'Transporting Passengers by Taxi and Private Hire' within the first 12 months of any licence being issued to him.

69. **APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE DRIVER'S LICENCE - CMP (E3 AND E7)**

Due to CMP's non attendance at Committee, Members agreed that his application for the grant of a Hackney Carriage Driver's Licence is held on file until such time as he contacts the licensing department.

(Councillor Haydon declared a personal interest in this item).

(Councillor Reynolds left the meeting and was not present for items 69, 70, 71, 72).

70. **LICENSED PRIVATE HIRE DRIVER REVIEW OF LICENCE STATUS - SRD (E3 AND E7)**

The committee having –

- (a) considered the report of the Director for Community Services;
- (b) heard from SRD;
- (c) taken into account all that he said;

Agreed that SRD's licence be suspended for a period of 3 days for failing to comply with his conditions of licence as this demonstrated a lack of willingness to work with the licensing authority which was relevant to the Council's Licensing Objectives which must be considered when reaching any determination.

(Note: there is a confidential part of this minute).

71. LICENSED HACKNEY CARRIAGE DRIVER REVIEW OF LICENSE STATUS - SGR (E3 AND E7)

The committee having –

- (a) considered the report of the Director for Community Services;
- (b) heard from SGR;
- (c) heard details of SGR's motoring convictions;

Agreed that having taken into account all of the above the committee's decision is to suspend SGR's Hackney Carriage Driver's licence for a period of six days due to the fact that the motoring offences are all relevant offences under the Council's licensing policy and give rise to concerns for public safety. In addition the failure to report did not demonstrate a willingness to work with the Licensing Authority which was relevant under the Council's Licensing Objectives which must be taken into account when reaching any determination.

(Note: there is a confidential part of this minute)

72. LICENSED HACKNEY CARRIAGE DRIVER REVIEW OF LICENSE STATUS - JW (E3 AND E7)

The committee having –

- (a) considered the report of the Director for Community Services;
- (b) heard from JW;
- (c) heard details of JW's convictions;

Agreed that on this occasion JW be issued with a written warning in relation to his conduct which would remain on his file and be brought to committee's attention should he appear before them in the future.

(Councillor Drear left the meeting and was not present for this item)

(Councillor Rennie recorded a vote of dissent against this decision)

(Note: there is a confidential part of this minute)