

## Minutes of Licensing Sub-Committee

Meeting Date: Monday, 17 October 2016, starting at 10am  
Present: Councillor J Alcock (Chairman)

Councillors:

S Brunskill  
S Hind

In attendance: Solicitor, Taxi Enforcement Officer.

### APOLOGIES

There were no apologies of absence from the meeting.

### DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTEREST

There were no pecuniary and non-pecuniary declarations of interest.

### EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That by virtue of the following report being exempt information under Category 3 of Schedule 12A of the Local Government Act 1972, the press and public be now excluded from the meeting.

### LICENSING HEARING – TAXIS

#### Private Hire Driver's Licence

Sub-Committee received a report of the Chief Executive which included details of infringements that had taken place.

The driver was given the opportunity to make representations to the Sub-Committee who considered all the circumstances, and determined the use of sanctions against the licence holder.

RESOLVED: The Sub-Committee determined that the conduct of the driver had not been that of a fit and proper person to hold a licence and that the driver should be suspended for a period of 28 days to deter him from future misconduct and so render him once again a fit and proper person.

#### Hackney Carriage Driver's Licence

Sub-Committee received a report of the Chief Executive which included details of a conviction recorded against the driver in the Manchester Magistrates' Court, as a result of which the driver's hackney carriage driver's licence had been revoked. The report outlined the current application by the driver for issue of a hackney carriage driver's licence.

The driver attended with the proprietor of his hackney carriage, and explained the circumstances of the conviction and the basis upon which an appeal against conviction had been lodged in the Crown Court. The Sub-Committee advised the applicant that it could not look behind the conviction currently recorded, considered all the circumstances, and decided that the applicant was not a fit and proper person to hold a hackney carriage driver's licence.

RESOLVED: That the application be refused.

#### Private Hire Operator's Licence

Sub-Committee received a report of the Chief Executive outlining the background to suspension of the private hire operator's licence of the applicant in November 2015. This suspension had now expired. The applicant had applied for a new operator's licence, and Sub-Committee were required to determine that application.

The applicant's solicitor made representations to the Sub-Committee with regard to the applicant's background and history and explained the circumstances which had led to the suspension. The Sub-Committee then considered all the circumstances and determined that the applicant was a fit and proper person to hold a private hire operator's licence.

RESOLVED: The application be allowed.

#### Hackney Carriage Driver's Licence

Sub-Committee received a report of the Chief Executive on an application by an individual for the grant of a hackney carriage driver's licence, which outlined the driver's history and details of an infringement that had occurred after the driver's previous licence had expired.

The driver was given the opportunity to make representations to the Sub-Committee who then considered all the circumstances and determined that the individual was a fit and proper person to hold a hackney carriage driver's licence.

RESOLVED: That the application be allowed.

#### Hackney Carriage Driver's Licence

Sub-Committee received a report of the Head of Legal and Democratic Services on the appeal by an individual against a decision to impose infringement points on a hackney carriage driver's licence, and on the application by the same individual for the grant of a hackney carriage driver's licence.

The applicant and his solicitor made representations to the Sub-Committee in respect of the appeal and the application, setting out the circumstances in which the individual had driven his hackney carriage after the expiry of his licence, his personal circumstances, and his background in support of his application for a new licence.

The Sub-Committee considered all the circumstances and decided that the individual was a fit and proper person to hold a hackney carriage driver's licence. The Sub-Committee further considered representations and submissions of the individual and his solicitor with regard to the appeal against the imposition of infringement points.

RESOLVED: That

1. the application for a hackney carriage driver's licence be allowed;
2. the appeal be allowed in part and 12 points be endorsed on the driver's licence under the infringement scheme.

#### Private Hire Operator's Licence

Sub-Committee received a report of the Chief Executive with regard to an individual who had accumulated excessive penalty points on his private hire operator's licence, in order to consider the use of sanctions.

The individual and his representative made representations to the Sub-Committee, in addition to previous written submissions.

RESOLVED: That the individual was a fit and proper person to hold an operator's licence, that the penalty points should remain on his licence and that any further infringement would be referred for determination by the Sub-Committee.

The meeting closed at 11.30am.

If you have any queries on these minutes please contact Diane Rice (414418).