

Minutes

Licensing Committee

Venue:	Committee Room
Date:	16 April 2012
Present:	Councillors R Sayner, Mrs S Duckett, Mrs C Mackman, B Marshall, Mrs S Ryder, R Sweeting, J Thurlow, K Ellis and Mrs P Mackay
Apologies for Absence:	Councillor Mrs K McSherry
Officers Present:	Caroline Fleming - Senior Solicitor, Tim Grogan – Senior Enforcement Officer, Glenn Shelley – Democratic Services Manager , Nick Abbott – Democratic Services Officer

77. DECLARATIONS OF INTEREST

None.

78. MINUTES

The Committee raised amendments to the minutes of the Licensing Hearing on 20 March. There was a typing error at point 6 in connection with the Premises Licence Conditions. This should read:

6. Copies of the recordings will display the correct time and date of the recording.

In addition there was a typing error to the conditions to be amended to read:

8. “*Open* drinking vessels (to include bottles) of any type shall not be allowed to enter or leave the premises whilst under the customers care (save for the movement to any outside drinking area attached to the premises)”

Resolved:

To receive and approve the minutes of the Licensing Committee held on the 5 March 2012 and, subject to the above amendments, the Licensing Hearing on the 20 March 2012 and they be signed by the Chair.

79. PROCEDURE

The Procedure was noted.

80. CHAIR'S ADDRESS TO THE LICENSING COMMITTEE

The Chair made no statement to the Committee. The Committee agreed to a change in the order of the agenda so that item 8 of the agenda was heard before item 7.

81. PRIVATE SESSION

That in accordance with Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business, as there will be disclosure of exempt information as defined in paragraph 3 of Part 1 of Section 12A of the Act, as amended by the Local Government (Access to Information) (Variation) Order 2006.

82. ISSUE CONCERNING THE BEHAVIOUR OF A PRIVATE HIRE DRIVER

The Senior Enforcement Officer presented the **Report L/11/27** which informed the Licensing Committee of a complaint that had been received. The driver was in attendance.

The Senior Enforcement Officer outlined details of the case.

The driver read out a statement and requested that three letters of testimony were read to the Committee. The Senior Enforcement Officer read out the letters.

Councillors were given the opportunity to question the driver in connection with the matter. The Councillors then considered whether the driver was a fit and proper person to be licensed as a Private Hire driver.

RESOLVED:

- i) To receive and note the report L/11/27.**
- ii) To take no further action against the driver.**

83. ISSUE CONCERNING THE BEHAVIOUR OF A LICENSED HACKNEY CARRIAGE DRIVER

The Senior Enforcement Officer presented the **Report L/11/26** which outlined a complaint that had been received. The driver was in attendance.

The driver made representations to the Committee.

Councillors were given the opportunity to question the driver in connection with the matter. The Councillors then considered whether the driver was a fit and proper person to be licensed as a Hackney Carriage driver.

RESOLVED:

- i) **To receive and note Report L/11/26.**
- ii) **To give the applicant a VERBAL WARNING to be held on file for 3 months.**

84. APPLICATION FOR A HACKNEY CARRIAGE LICENCE

The Senior Enforcement Officer presented the **Report L/11/28** which considered whether an application for a Hackney Carriage Licence should be granted. The applicant was in attendance with their prospective employer.

The Senior Enforcement Officer outlined details of the case.

The applicant summarised the details of their application.

Councillors were given the opportunity to question the applicant about the application. The Councillors then considered whether the driver was a fit and proper person to be licensed as a Hackney Carriage driver.

RESOLVED:

- i) **To receive and note the report L/11/28**
- ii) **To APPROVE the application for a Hackney Carriage Driver's Licence.**

85. ISSUE CONCERNING THE BEHAVIOUR OF TWO PRIVATE HIRE DRIVERS

The Committee agreed to hear the case in respect of each driver separately and then consider their decision for both parties together.

The Senior Enforcement Officer presented the **Report L11/29** with regard to the conduct of the first of the two Private Hire Drivers. The driver was in attendance.

The Senior Enforcement Officer outlined details of the case.

The first driver made representations to the Committee.

Councillors were given the opportunity to question the first driver in connection with the matter. The first driver then left the room.

The Senior Enforcement Officer presented the **Report L11/29** with regard to the conduct of the second of the two Private Hire Drivers. The second driver was in attendance.

The Senior Enforcement Officer outlined details of the case.

The second driver made representations to the Committee.

Councillors were given the opportunity to question the second driver in connection with the matter.

The Committee then considered whether the two drivers were fit and proper persons to be licensed as Private Hire drivers.

RESOLVED:

- i) To receive and note the report L/11/29**
- ii) To take no further action against the first of the two applicants**
- iii) To give the second driver a WRITTEN warning to be held on file for 6 months.**
- iv) To request an urgent review of the current procedure for issuing of licence plates for both Private Hire and Hackney Carriages.**

86. ISSUE CONCERNING THE BEHAVIOUR OF A LICENSED HACKNEY CARRIAGE DRIVER

The Senior Enforcement Officer presented the **Report L/11/30** which detailed alleged traffic offences committed by the Hackney Carriage Driver. The driver was in attendance.

The Senior Enforcement Officer outlined details of the case.

The driver made representations to the Committee.

Councillors were given the opportunity to question the driver in connection with the matter. The Councillors then considered whether the driver was a fit and proper person to be licensed as a Hackney Carriage driver.

RESOLVED:

- i) To receive and note the report L/11/30**
- ii) To give the applicant a VERBAL WARNING to be held on file for 3 months.**

The meeting closed at 12.20.