

## Minutes

### Licensing Committee

Venue:	Committee Room
Date:	8 September 2014
Present:	Councillors K Ellis (Chair), Mrs S Duckett, Mrs P Mackay, Mrs C Mackman, B Marshall, Mrs K McSherry, D Peart (for R Sayner), Mrs S Ryder, R Sweeting and J Thurlow
Apologies for Absence:	R Sayner(sub D Peart).
Officers Present:	Caroline Fleming - Senior Solicitor, Tim Grogan – Senior Enforcement Officer, Gillian Marshall – Solicitor to the Council, Michelle Dinsdale – Policy Officer, Ralph Gill – Lead Officer, Revenues and Benefits and Glenn Shelley – Democratic Services Manager,

#### **21. MINUTES**

The Committee considered the minutes of the Licensing Committee held on 7 July 2014.

#### **RESOLVED:**

**To APPROVE the minutes of the Licensing Committee meeting held on 7 July 2014 and they be signed by the Chair.**

#### **22. DISCLOSURES OF INTEREST**

There were no declarations of interest.

#### **23. PROCEDURE**

The procedure was noted.

#### **24. CHAIR'S ADDRESS TO THE LICENSING COMMITTEE**

The Chair gave no address.

**RESOLVED:**

**25. 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.**

**26. APPLICATION FOR A PRIVATE HIRE DRIVER'S LICENCE**

The Senior Enforcement Officer presented the Report L/14/12 which outlined an application for a Private Hire Driver's Licence. The applicant was in attendance.

Councillors were given the opportunity to question the applicant in connection with the application. The Committee then discussed the matter and considered whether the application should be granted.

**RESOLVED:**

**To REFUSE the application for a Private Hire Driver's Licence.**

**REASONS FOR DECISION:**

**The Disclosure and Barring Service Enhanced Certificate revealed a quantity and range of offences which gave reasonable cause for a belief that the applicant was not a fit and proper person to hold a Hackney Carriage Driver's Licence.**

**27. APPLICATION FOR A PRIVATE HIRE DRIVER'S LICENCE**

The Senior Enforcement Officer presented the Report L/14/13 which outlined an application for a Private Hire Driver's Licence. The applicant was in attendance.

Councillors were given the opportunity to question the applicant in connection with the application. The Committee then discussed the matter and considered whether the application should be granted.

**RESOLVED:**

**To REFUSE the application for a Private Hire Driver's Licence.**

## **REASONS FOR DECISION:**

**The Disclosure and Barring Service Enhanced Certificate revealed an offence which, after consideration of the relevant guidelines, gave reasonable cause for a belief that the applicant was not a fit and proper person to hold a Hackney Carriage Driver's Licence.**

### **28. ISSUE CONCERNING THE BEHAVIOUR OF A PRIVATE HIRE VEHICLE DRIVER**

The Senior Enforcement Officer presented the Report L/14/14 which outlined a complaint that had been received against a licenced Private Hire Vehicle Driver. The Committee considered whether the respective driver was a fit and proper person to drive a Private Hire Vehicle. The driver was in attendance.

Councillors were given the opportunity to question the driver in connection with the incident. The Committee discussed the matter and considered all the relevant issues.

#### **RESOLVED:**

**To agree that the driver be given a warning about his future conduct for 12 months.**

**The meeting returned to public session.**

### **29. HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE LICENSING POLICY**

The Committee received the update report on the review of the Hackney Carriage and Private Hire Vehicle Licensing Policy.

The Committee heard that once approved, the Policy would provide guidance on the Council's requirements in relation to the issue and renewal of driver, vehicle and operator licences. The standards set out in the policy would be used by the Council to inform decision making.

The Committee discussed a number of areas for consideration for inclusion as part of the policy, these included the duration of licenses, wheel chair accessibility issues and a knowledge test.

#### **RESOLVED:**

**i) To note the report.**

### **30. LICENSING HEARING PROCEDURE AND CODE OF PRACTICE**

The Committee considered the revised set of procedural guidelines for hearings. The Solicitor to the Council presented the report and set out the key areas such as the replacement of cross examination at Hearings with a time limited presentation. The Committee agreed that this represented its preferred approach. The Solicitor to the Council gave an overview of the Draft Code of Practice. The Committee asked that the Code of Practice be included within the ongoing changes to the Constitution.

## **RESOLVED**

- i) To approve the revised procedural guidelines**
- ii) To approve the inclusion of draft Code of Practice in the constitutional amendments to be received by Council October 2014.**

**At this point the Committee took a short recess.**

## **31. 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.**

## **32. APPLICATION FOR NON-DOMESTIC RATES HARDSHIP RELIEF**

The Lead Officer, Benefits and Taxation presented the Report L/14/15 which outlined an application for Non Domestic Rates Hardship Relief.

The Committee discussed the matter and considered whether the application for relief should be granted.

### **RESOLVED:**

**To grant the application for Non Domestic Rates Hardship Relief.**

## **33. APPLICATION FOR NON-DOMESTIC RATES HARDSHIP RELIEF**

The Lead Officer, Benefits and Taxation presented the Report L/14/16 which outlined an application for Non Domestic Rates Hardship Relief.

The Committee discussed the matter and considered whether the application for relief should be granted.

### **RESOLVED:**

**To refuse the application for Non Domestic Rates Hardship Relief**

The meeting closed at 1.20pm.