LICENSING AND ENVIRONMENTAL REGULATION COMMITTEE

MEETING, 15th MARCH, 2016

Present – Councillors Donaghy (Chairman), Haworth (Vice-Chairman), D. Burrows (as deputy for Councillor C. Burrows), L. Byrne, Chadwick, Cunliffe (as deputy for Councillor Watters), Mrs Fairclough, Haslam, Martin, Mistry (as deputy for Councillor Graham), Murray, Richardson and Wild.

Apologies for absence were received from Councillors C. Burrows, Graham, Greenhalgh and Watters.

Councillor Donaghy in the Chair.

60. MINUTES OF PREVIOUS MEETING

The minutes of the proceedings of a meeting of the Committee held on 9th and 16th February, 2016 were submitted.

Resolved –That the minutes be agreed and signed as a correct Record.

61. MINUTES OF THE LICENSING SUB-COMMITTEE (TRAFFIC MATTERS)

The minutes of the proceedings of a meeting held on 4th February, 2016 were submitted.

Resolved –That the minutes be agreed and signed as a correct record.

62. EXCLUSION OF PRESS AND PUBLIC

Resolved – That, under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information as specified in paragraph 3 (financial and business affairs) of Part 1 of

Schedule 12A to the Act; and that it be deemed that, in all the circumstances of the case, the public interest in its exemption outweighs the public interest in its disclosure.

63. APPLICATION FOR A LICENCE TO DRIVE A PRIVATE HIRE VEHICLE LER/10/16

(Councillor Donaghy, the Chairman declared an interest in the following item insofar as he knew the applicant and left the meeting taking no part in the discussions and vote thereon. Councillor Haworth, the Vice-Chairman here took the chair for this item)

The Director of Place submitted a report which set out details of an application which had been received for a licence to drive a private hire vehicle.

The applicant attended the meeting.

The Committee heard verbal representations from the Licensing Officer.

The meeting gave careful consideration to all the evidence and the submissions made.

Resolved – That the application be approved, subject to the standard conditions, as set out in the report.

64. APPLICATION FOR A LICENCE TO DRIVE A PRIVATE HIRE VEHICLE LER/11/16

The Director of Place submitted a report which set out details of an application which had been received for a licence to drive a private hire vehicle.

The applicant attended the meeting.

The Committee heard verbal representations from the Licensing Officer.

The meeting gave careful consideration to all the evidence and the submissions made.

Resolved – That the application for a licence to drive a private hire vehicle be refused on the basis that the Committee is not satisfied that the driver is a fit and proper person to hold a licence at this time.

Following consideration of all the evidence the Committee noted that the applicant had been convicted of committing an act / series of acts with intent to pervert the course of justice. Drivers are placed in a position of trust and have a duty to conduct themselves in a lawful and professional manner at all times.

In coming to its decision, the Committee specifically also took account of, viz-

- The applicant's convictions in 2012 relating to committing an act / series of acts with intent to pervert the course of justice which resulted in a prison sentence. The additional information provided by the Police related to the applicant's provision of false information. The Council takes a serious view of any convictions involving dishonesty. In general an applicant with convictions for dishonesty which are less than 3 to 5 years old is likely to be refused and this application is within this period. The applicant admitted these offences and also admitted to having a history of dishonesty;
- The pattern of dishonesty and speeding offences committed; and
- The applicant has a series of speeding convictions.

The applicant also tabled character references in support of the application and the Committee read and considered these and found them to carry limited weight.

Members of the public and in particular, the elderly, infirm and children or vulnerable adults entrust their personal safety and wellbeing to private hire drivers.

There is therefore reasonable cause to refuse to grant the licence.

65. APPLICATION FOR A LICENCE TO DRIVE A PRIVATE HIRE VEHICLE LER/12/16

The Director of Place submitted a report which set out details of an application which had been received for a licence to drive a private hire vehicle.

The applicant and his representative attended the meeting.

The Committee heard verbal representations from the Licensing Officer.

The meeting gave careful consideration to all the evidence and the submissions made.

Resolved – That the application be approved, subject to the standard conditions, as set out in the report.

66. MISCONDUCT BY LICENSED PRIVATE HIRE DRIVER LER/09/16

The Director of Place submitted a report which set out details of misconduct by a licensed private hire driver.

The applicant did not attend the meeting.

The Committee heard verbal representations from the Licensing Officer.

Resolved – That consideration of the matter be deferred for consideration at an early meeting of the Licensing Sub-Committee (Sensitive Cases).

(The meeting started at 2.00pm and finished at 4.05pm)