

**LICENSING AND ENVIRONMENTAL REGULATION
COMMITTEE**

MEETING, 20th AUGUST, 2019

Present – Councillors Dean (Vice-Chairman), Donaghy, Fletcher, Flitcroft, Gibbon, Haslam, Haworth, McKeon, Morris and Newall (as deputy for Councillor Bagnall).

(An apology for absence was received from Councillors P. Wild and Khurram)

Councillor Dean in the Chair.

8. MINUTES OF THE LAST MEETING

The minutes of the proceedings of the meeting held on 23rd July, 2019 were submitted and signed as a correct record.

9. MINUTES OF THE LICENSING TRAFFIC SUB-COMMITTEE

The minutes of the proceedings of the meeting held on 30th July, 2019 were submitted and signed as a correct record.

10. MINUTES OF THE LICENSING SENSITIVE CASES SUB-COMMITTEE

The minutes of the proceedings of the meeting held on 16th July, 2019 were submitted and signed as a correct record.

11. EXCLUSION OF PRESS AND PUBLIC

Resolved – That, under Section (100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve 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.

The Licensing and Environmental Regulation Committee Acting as Licensing Act, 2003 Committee for the next item.

**7. APPLICATION FOR A STREET TRADING CONSENT
LER/19/19**

The Director of Place submitted a report which gave details of an application for a Street Trading Consent.

The report outlined the full details of the application and alleged misconduct.

The applicant and his mother attended the meeting and provided verbal evidence.

The Licensing Officer gave verbal evidence.

It was moved by Councillor Newall and Seconded by Councillor Haslam that the application for a Street Trading Consent be refused.

For the Motion, Viz –

Councillors Donaghy, Haworth, Fletcher, Haslam, Newall, Flitcroft, and Gibbon.

Against the Motion, Viz –

Councillors McKeon, Morris and Dean.

Abstain, Viz –

Nil

Whereupon the motion was declared carried and it was specifically Resolved -

That the application for a Street Trading Consent be refused on the basis that the Committee is not satisfied that the applicant is a suitable person to hold a licence.

The Sub-Committee also took account of –

- Police intelligence regarding an alleged assault from 23rd June, 2016 when the applicant and others punched and kicked the victim around the head and body before striking his victim around the back of the head with a golf club. The Police were informed and the applicant was arrested. The applicant denied the offence and due to there being no CCTV and the lack of independent witnesses no further action was taken. On questioning at the meeting the applicant admitted hitting someone and being involved in the incident;
- Police intelligence from 27th November, 2015 regarding an allegation of a Section 18 assault in that the applicant deliberately drove into another vehicle and assaulted the driver. On arrival at the scene Police were told by the victim that whilst he and a friend were sitting in the rear of the vehicle the applicant and another drove their vehicle into the victim's car, ramming it along the pavement. They then alleged that the applicant and another jumped out of the vehicle with knives and screwdrivers and started hitting the victim about the face and body and causing scratches, swelling and soreness to the victims left cheek. The applicant was recorded as a suspect, as identified by the victim but due to the victim not wishing to provide a statement or support a prosecution, no further action was taken; and
- The witness statements as detailed in the report.

The Committee's primary duty is of concern for the safety and well-being of the public .

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

8. APPLICATION FOR A LICENCE TO DRIVE A PRIVATE HIRE VEHICLE /20/19

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

The report outlined the full details of the application and alleged misconduct.

The applicant attended the meeting and provided verbal evidence.

The Licensing Officer gave verbal evidence.

It was moved by Councillor Donaghy and Seconded by Councillor Haslam that the application for a private hire drivers licence be granted, subject to the standard condition as detailed in the report.

For the Motion, Viz –

Councillors Donaghy, Haworth, McKeon, Morris, Dean, Fletcher, Haslam, Newall, Flitcroft and Gibbon.

Against the Motion, Viz –

Nil

Abstain, Viz –

Nil

9. APPLICATION FOR A LICENCE TO DRIVE A PRIVATE HIRE VEHICLE /21/19

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

The report outlined the full details of the application and alleged misconduct.

The applicant attended the meeting and provided verbal evidence.

The Licensing Officer gave verbal evidence.

It was moved by Councillor McKeon and Seconded by Councillor Donaghy that the application for a private hire drivers licence be granted subject to the standard conditions as detailed in the report.

For the Motion, Viz –

Councillors Donaghy, Haworth, McKeon, Morris, Dean, Fletcher, Haslam, Newall, Flitcroft and Gibbon.

Against the Motion, Viz –

Nil.

Abstain, Viz –

Nil.

10. APPLICATION FOR A LICENCE TO DRIVE A PRIVATE HIRE VEHICLE /22/19

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

The report outlined the full details of the application and alleged misconduct.

The applicant attended the meeting and provided verbal evidence.

The Licensing Officer gave verbal evidence.

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It was moved by Councillor Donaghy and Seconded by Councillor Morris that the application for a private hire drivers licence be granted subject to the standard conditions as detailed in the report.

For the Motion, Viz –

Councillors Donaghy, Haworth, McKeon, Morris, Dean, Fletcher, Haslam, Newall, Flitcroft and Gibbon.

Against the Motion, Viz –

Nil

Abstain, Viz –

Nil

(The meeting started at 2.00pm and finished at 3.45pm)