

**LICENSING AND ENVIRONMENTAL REGULATION
COMMITTEE**

MEETING, 5TH FEBRUARY, 2019

Present – Councillors Murray (Chairman), Bagnall, Byrne (as deputy for Councillor Gillies), Donaghy, Mrs Fairclough, Gibbon, Greenhalgh, Khurram, McKeon, Morris, Peel (as deputy for Councillor Haworth), Kirk-Robinson (as deputy for Councillor Haslam) and Sanders.

Apologies for absence were submitted on behalf of Councillors Haworth, Haslam, Gillies and P. Wild.

Councillor Murray in the Chair.

44. MINUTES OF PREVIOUS MEETINGS

The minutes of the proceedings of the Committee held on 18th December, 2018 and 8th January, 2019 were submitted and signed as a correct record.

45. 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.

**46. APPLICATION FOR A LICENCE TO DRIVE A PRIVATE
HIRE VEHICLE LER/05/19**

The Director of Place submitted a report which gave details of an application which had been received to drive a private hire vehicle and where the applicant had a previous misconduct matters.

C2

The report outlined the full details of the misconduct matter by the applicant.

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

The Committee also heard evidence from the Licensing Officer.

It was moved by Councillor Kirk-Robinson and seconded by Councillor Peel that the application be refused.

An amendment was moved by Councillor Donaghy and seconded by Councillor Greenhalgh that the licence be granted, subject to the standard conditions, as set out in the report.

For the Amendment, viz-

Councillors Donaghy, Byrne, Khurram, McKeon, Morris, Greenhalgh, Bagnall and Sanders.

Against the Amendment, Viz –

Councillors Peel, Murray, Mrs Fairclough, Kirk-Robinson and Gibbon.

Abstain, Viz – 0

The amendment was declared carried and became the substantive motion.

For the Motion, viz-

Councillors Donaghy, Byrne, Khurram, McKeon, Morris, Greenhalgh, Bagnall and Sanders.

Against the Motion, Viz –

Councillors Peel, Murray, Mrs Fairclough, Kirk-Robinson and Gibbon.

Abstain, Viz – 0

Whereupon the motion was declared carried and it was specifically resolved - That the licence to drive a private hire be granted, subject to the standard conditions, as set out in the report.

47. APPLICATION FOR A LICENCE TO DRIVE A PRIVATE HIRE VEHICLE LER/06/19

The Director of Place submitted a report which gave details of an application which had been received to drive a private hire vehicle and where the applicant had a previous misconduct matters.

The report outlined the full details of the misconduct matter by the applicant.

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

The Committee also heard evidence from the Licensing Officer.

It was moved by Councillor McKeon and Seconded by Councillor Peel that the application be granted.

For the Motion, viz-

Councillors Donaghy, Byrne, Peel, Khurram, McKeon, Murray, Morris, Mrs. Fairclough, Greenhalgh, Kirk-Robinson, Bagnall, Gibbon and Sanders.

Against the Motion, Viz - 0

Abstain, Viz – 0

Whereupon the Motion was declared carried and it was specifically resolved - That the licence to drive a private hire vehicle be granted, subject to the standard conditions, as set out in the report.

**48. MISCONDUCT BY LICENSED PRIVATE HIRE DRIVER
LER/04/19**

The Director of Place submitted a report which gave details of misconduct matters in relation to a driver licensed to drive a private hire vehicle.

The report outlined the full details of the misconduct matters by the driver.

The driver attended the meeting and requested that consideration of the matter be deferred as he had applied for information from the Police and his solicitor was not in attendance.

The Committee also heard information from the Licensing Officer.

It was moved by Councillor Greenhalgh and Seconded by Councillor Mrs. Fairclough that consideration of the matter be deferred until a future meeting of this Committee.

An amendment was moved by Councillor Murray and seconded by Councillor Peel that the Committee proceeds to consider the matter.

For the Amendment, viz-

Councillors Peel, Murray and Bagnall.

Against the Motion, Viz -

Councillors Donaghy, Byrne, McKeon, Morris, Mrs. Fairclough, Greenhalgh, Kirk-Robinson, Gibbon and Sanders.

Abstain, Viz – 0

The amendment was declared lost and the substantive Motion considered.

For the Motion, Viz –

C5

Councillors Donaghy, Byrne, McKeon, Morris, Mrs. Fairclough, Greenhalgh, Kirk-Robinson, Gibbon and Sanders.

Against the Motion, Viz –

Councillors Peel, Murray and Bagnall.

Abstain, Viz - 0

Whereupon the motion was declared carried and it was specifically resolved -That consideration of the matter be deferred until a future meeting of this Committee.