

**LICENSING AND ENVIRONMENTAL REGULATION
COMMITTEE**

MEETING, 27th FEBRUARY, 2020

Present – Councillors P. Wild (Chairman), Dean (Vice-Chairman), Fletcher, Flitcroft, Haworth, Khurram and Newall.

An apology for absence was received from Councillor Morris.

Councillor P. Wild in the Chair.

32. MINUTES OF THE LAST MEETING

The minutes of the proceedings of the meeting held on 12th November, 2019 were submitted and signed as a correct record.

**33. MINUTES OF THE LICENSING SUB-COMMITTEE
(SENSITIVE CASES)**

The minutes of the meeting of the Licensing Sub-Committee (Sensitive cases) held on 29th October, 2019 were submitted and signed as a correct record.

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

The minutes of the meeting of the Licensing Sub-Committee (Traffic Matters) held on 5th November, 2019 and 14th January, 2020 were submitted and signed as a correct record.

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 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.

35. APPLICATION FOR A LICENCE TO DRIVE A PRIVATE HIRE VEHICLE LER/02/20

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 and provided verbal evidence.

The Licensing Officer gave verbal evidence.

It was moved by Councillor Khurram and Seconded by Councillor Haworth that the licence to drive private hire vehicles be granted.

An amendment was moved by Councillor Newall and seconded by Councillor Fletcher that the application be refused.

The amendment was put to the vote when the voting was as follows, viz -

For the Amendment, Viz –

Councillors Fletcher and Newall

Against the Amendment, Viz –

Councillors Khurram, Haworth, P. Wild and Flitcroft.

Abstain, Viz –

Councillor Dean

Whereupon the motion was declared lost.

The original motion was put to the vote when the voting was as follows, viz-

For the Motion, Viz –

Councillors Khurram, Haworth, P. Wild and Flitcroft

Against the Motion, Viz –

Councillors Fletcher and Newall

Abstain, Viz –

Councillor Dean

Whereupon the motion was declared carried.

36. APPLICATION FOR A LICENCE TO DRIVE A PRIVATE HIRE VEHICLE LER/03/20

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 meeting was informed that the applicant was away and had requested that the matter be deferred.

It was moved by Councillor Newall and Seconded by Councillor Khurram that consideration of this matter be deferred until the next meeting of this Committee.

For the Motion, Viz –

Councillors Khurram, Haworth, Dean, Fletcher, P. Wild, Newall and Flitcroft.

Against the Motion, Viz –

Nil

Abstain, Viz –

Nil

37. MISCONDUCT BY A LICENSED PRIVATE HIRE DRIVER LER/04/20

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

The driver attended the meeting with a family friend.

It was moved by Councillor Newall and seconded by Councillor Haworth that the licence to drive private hire vehicles be revoked.

Where upon the motion was put to the vote and the voting was as follows, viz -

For the Motion, Viz –

Councillors Khurram, Haworth, Dean, Fletcher, P. Wild, Newall and Flitcroft.

Against the Motion, Viz –

Nil

Abstain, Viz –

Nil

Whereupon the motion was declared carried and it was specifically resolved –

That the licence to drive a private hire vehicle be revoked on the basis that the Committee is not satisfied that the applicant is a fit and proper person to hold a licence.

The Sub-Committee also took account of –

- The conviction for exceeding the speed limit on a motorway from April, 2016 which had not been declared on his application form;
- The convictions from October, 2019 of plying for hire without a hackney carriage proprietor's licence and using

a vehicle uninsured against third party risks which had also not been declared in accordance with the conditions of his licence;

- Matters around the Council's Statement of Fitness and Suitability and the Town Police Clause Act, 1847 and the Local Government (Miscellaneous Provisions) Act 1976, including that in relation to using a vehicle uninsured against third party risks is classed as a Major Motoring conviction and generally means that a person whose licence is being reviewed will have it revoked if the period since the conviction is less than three years.

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 whenever they take a journey. Passengers often travel alone and are vulnerable to inappropriate behaviour.

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

There is therefore reasonable cause to revoke the private hire drivers licence.

38. APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE VEHICLE LICENCE LER/05/20

The Director of Place submitted a report which set out details of an application for the grant of a hackney carriage vehicle licence.

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

The Licensing Officer gave verbal evidence.

It was moved by Councillor Haworth and Seconded by Councillor Khurram that the grant of a hackney carriage vehicle licence be approved, finding that there are exceptional circumstances.

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For the Motion, Viz –

Councillors Khurram, Haworth, Dean, Fletcher, P. Wild, Newall
and Flitcroft

Against the Motion, Viz –

Nil

Abstain, Viz –

Nil

(The meeting started at 2.00pm and finished at 3.34pm)