

Attendance

Members of the Licensing Sub-Committee

Cllr Alan Bolshaw (Chair)
Cllr Rita Potter
Cllr Patricia Patten

Employees

Elaine Moreton	Section Leader - Licensing
Jacky Bramley	Senior Legal Executive
Donna Cope	Democratic Services Officer

Observer

Gabriella Orthodoxou	Legal Student
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Part 1 – items open to the press and public

Item No. *Title*

1 Apologies for absence

There were no apologies for absence.

2 Declarations of interest

There were no declarations of interest.

3 Exclusion of press and public

Resolved:

That, in accordance with section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business as they involve the likely disclosure of exempt information falling within paragraph 1 of Schedule 12A to the Act relating to any individual.

4 Application for a Private Hire Vehicle Driver's Licence - (HAA)

The Applicant (HAA) failed to attend the Hearing. He was contacted by the Democratic Services Officer and confirmed he would not be attending.

The Sub-Committee discussed the matter and agreed to continue in his absence.

The Section Leader, Licensing, outlined the report regarding an application for a Private Hire Vehicle Driver's Licence, which had been circulated to all parties in advance of the meeting. The matter had been referred to the Sub-Committee by an authorised employee of the council for further consideration to be given as to whether HAA was a fit and proper person to hold a Private Hire Vehicle Driver's Licence due to the information outlined in the report.

All parties were invited to question the Section Leader on the report and in response to questions from the Sub-Committee, the Section Leader confirmed the nature of offences listed within the Mini-Panel report.

Members considered the evidence.

Resolved:

That having considered all the evidence both written and oral, provided at the hearing, the Sub-Committee is not satisfied that HAA is a fit and proper person and therefore, in accordance with Section 51 of the Local Government (Miscellaneous Provisions) Act 1976, a Private Hire Vehicle Driver's Licence is not granted. This decision is made in accordance with paragraph 5.1.3(b), 5.1.7(b), 5.1.6(b) and 5.1.10(b) of the guidelines relating to the relevance of convictions and breaches of licence conditions agreed by the Licence Committee on 12 July 2017.

5 Application for a Private Hire Vehicle Driver's Licence - (SH)

The Chair invited Elaine Moreton, Section Leader, Licensing, and the Applicant (SH) into the Hearing. SH was accompanied by his friend, Aqib Nawaz.

The Chair led round-table introductions and outlined the procedure to be followed.

The Section Leader, Licensing, outlined the report regarding an application for a Private Hire Vehicle Driver's Licence, which had been circulated to all parties in advance of the meeting. The matter had been referred to the Sub-Committee by an authorised employee of the council for further consideration to be given as to whether SH was a fit and proper person to hold a Private Hire Vehicle Driver's Licence due to the information outlined in the report. SH confirmed that the information contained within the report was accurate.

All parties were invited to question the Section Leader, Licensing, on the report. No questions were asked.

The Chair invited SH to make representations.

SH gave an overview of his current personal circumstances and acknowledged his convictions. He stated he had a family now and was a changed man.

SH requested that the Sub-Committee receive two character references from associates of his. The Sub-Committee agreed to the request (copies filed with these minutes).

All parties were invited to question SH on his submission.

In response to questions from the Sub-Committee, the Senior Legal Executive and the Section Leader, SH detailed the situations that lead to his convictions and elaborated further on his personal circumstances.

The Chair invited SH to make a final statement. SH acknowledged he had made mistakes in the past and regretted them. He said he now wanted to get his life back on track and prove he had changed.

SH, his friend and the Section Leader, left the room to allow the Sub-Committee to determine the matter.

The Chair invited all parties to return.

The Chair detailed the decision of the Sub-Committee.

Resolved:

That having considered all the evidence both written and oral, provided at the hearing, the Sub-Committee is not satisfied that SH is a fit and proper person and therefore, in accordance with Section 51 of the Local Government (Miscellaneous Provisions) Act 1976, a Private Hire Vehicle Driver's Licence is not granted. This decision is made in accordance with paragraph 5.1.3(b) and 5.1.6(b) of the

guidelines relating to the relevance of convictions and breaches of licence conditions agreed by the Licence Committee on 12 July 2017.

The Senior Legal Executive detailed the applicant's right of appeal to the Magistrates' Court against the decision of the Sub-Committee, within 21 days of receipt of the decision, and the potential costs of doing so.

6 **Application for a Private Hire Vehicle Driver's Licence - (MN)**

The Chair invited Elaine Moreton, Section Leader, Licensing, and the Applicant (MN) into the Hearing. The Chair led round-table introductions and outlined the procedure to be followed.

The Section Leader, Licensing, outlined the report regarding an application for a Private Hire Vehicle Driver's Licence, which had been circulated to all parties in advance of the meeting. The matter had been referred to the Sub-Committee by an authorised employee of the council for further consideration to be given as to whether MN was a fit and proper person to hold a Private Hire Vehicle Driver's Licence due to the information outlined in the report. MN confirmed that the information contained within the report was accurate.

All parties were invited to question the Section Leader, Licensing, on the report. No questions were asked.

The Chair invited MN to make representations.

MN gave an overview of his current personal circumstances and stated he was innocent of all his convictions. He said his ex-partner made false allegations against him for which he was wrongly convicted.

MN requested that the Sub-Committee receive character references from associates of his. The Sub-Committee agreed to the request (copies filed with these minutes).

All parties were invited to question MN on his submission.

In response to questions from the Sub-Committee, the Senior Legal Executive and the Section Leader, MN detailed the situations that lead to his convictions and elaborated further on his personal circumstances. He stated he had been wrongly accused and had no other convictions or history of violence.

The Chair invited MN to make a final statement. MN stated he was not a criminal and had been wrongly convicted of crimes he didn't do.

MN and the Section Leader, left the room to allow the Sub-Committee to determine the matter.

The Chair invited all parties to return.

The Chair detailed the decision of the Sub-Committee.

Resolved:

That having considered all the evidence both written and oral, provided at the hearing, the Sub-Committee is not satisfied that MN is a fit and proper person and therefore, in accordance with Section 51 of the Local Government (Miscellaneous Provisions) Act 1976, a Private Hire Vehicle Driver's Licence is not granted. This decision is made in accordance with paragraph 5.1.12(b) and 5.1.13(a) of the guidelines relating to the relevance of convictions and breaches of licence conditions agreed by the Licence Committee on 12 July 2017.

The Senior Legal Executive detailed the applicant's right of appeal to the Magistrates' Court against the decision of the Sub-Committee, within 21 days of receipt of the decision, and the potential costs of doing so.