

Attendance

Members of the Licensing Sub-Committee

Cllr Alan Bolshaw (Chair)

Cllr Rita Potter

Cllr Wendy Thompson

Employees

Elaine Moreton

David Abel

Donna Cope

Section Leader - Licensing

Senior Solicitor

Democratic Services Officer

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 AH

The Chair invited Elaine Moreton, Section Leader, Licensing, and the Applicant (AH) into the Hearing. AH was accompanied by his Solicitor Mr Raymond McVeighty. 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 AH was a fit and proper person to hold a Private Hire Vehicle Driver's Licence due to the information outlined in the report. AH confirmed that the information contained within the report was accurate.

All parties were invited to question the Section Leader on the report and the Section Leader answered accordingly.

The Chair invited AH to make representations.

Mr Raymond McVeighty made representations on behalf of his client. He acknowledged that his client had a long list of offences but assured the Sub-Committee that his client was a reformed person. He detailed some of the situations that had led to his client's convictions and stated that he had not committed any further offences since 2014.

Mr McVeighty requested that the Sub-Committee receive several character references and other supporting documents from associates of his client. The Sub-Committee agreed to the request (copies filed with these minutes).

Mr McVeighty discussed his client's current personal circumstances and detailed how he had significantly rehabilitated himself.

All parties were invited to question AH and Mr McVeighty on the submission.

In response to questions from the Sub-Committee, Section Leader and Solicitor, AH elaborated on this current personal circumstance and discussed how he had tried to turn his life around.

The Chair invited AH to make a final statement. Mr McVeighty did so on behalf of his client.

Mr McVeighty acknowledged that the Sub-Committee had a duty to protect the public but assured them that his client was a reformed person who had worked hard to combat his past mistakes.

AH, Mr McVeighty 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 presented at the Hearing, both written and oral, the Sub-Committee resolved to depart from the guidelines and grant AH a Private Hire Vehicle Driver's Licence for a period of 12 months with the following conditions:

- That the Applicant completes an Anger Management Course at his own expense;
- That the Applicant attends a licensing Mini-Panel Hearing after 6 months which will review the applicant's conduct and driving record to determine whether there is any reason that the licence should not continue.

Granting of the licence was also subject to AH passing the knowledge test, a satisfactory medical, and producing documentation of his immigration status/ right to work in the UK.

The Sub-Committee felt that they should depart from the guidelines as the Applicant had no further incidents within the last four years and had clearly made an effort to turn his life around. This view was supported by the character references which he produced to the Sub-Committee and the Customer Service training that he had undertaken.

The Applicant's right of Appeal against the imposition of the Conditions was clearly stated.