

CITY OF
WOLVERHAMPTON
COUNCIL

Licensing Sub-Committee

Minutes - 21 November 2018

Attendance

Members of the Licensing Sub-Committee

Cllr Alan Bolshaw (Chair)
Cllr Keith Inston
Cllr Wendy Thompson

Employees

Elaine Moreton
Sarah Hardwick
Donna Cope

Section Leader, Licensing
Senior Solicitor
Democratic Services Officer

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 (AM)

The Chair invited Elaine Moreton, Section Leader, Licensing, and the Applicant (AM) into the Hearing. AM was accompanied by a friend, Ms Aleema Khan. The Chair led round-table introductions and outlined the procedure to be followed.

The Section Leader, Licensing, carefully 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 AM 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 AM disputed some of the details, claiming they were incorrect.

The Chair invited AM to make representations.

AM acknowledged some of his convictions and detailed the situations that had led to them. He also disputed some of the details within the report and stated that he did not remember certain incidents.

All parties were invited to question AM on his submission.

In response to questions from the Sub-Committee, Senior Solicitor and the Section Leader, AM elaborated further on the situations that lead to his convictions and continued to dispute a number of other details within the report.

The Chair invited AM to make a final statement.

AM acknowledged he had made mistakes and apologised. He stated he was a single parent and needed to support his family.

AM, Ms Khan 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 AM 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 5.1.25(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 Solicitor 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.

5 **Review prior to renewal of a Private Hire Vehicle Operator's Licence (BC)**

The Chair invited Elaine Moreton, Section Leader, Licensing, and Mr Schiller, the Applicant's Solicitor, into the Hearing. The Chair led round-table introductions and outlined the procedure to be followed.

Mr Schiller, Solicitor representing the Applicant (ASD) explained to the Sub-Committee that his client was unable to attend the hearing due to miscommunication. He stated that he was not comfortable to continue without his client and requested that the Hearing be adjourned.

The Sub-Committee adjourned at 15:20 hours.

The Hearing reconvened at 15:25 hours.

Resolved:

The Sub-Committee agreed to adjourn the hearing until a further date.

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