

M I N U T E S

meeting: **LICENSING SUB-COMMITTEE**

date: **9 NOVEMBER 2011**

PRESENT:-

Councillor Dass (Chair)
Councillors Claymore and Davis

OFFICERS IN ATTENDANCE:-

L Banbury, Democratic Support Officer - Delivery (Governance)
S Hardwick, Senior Solicitor - Delivery (Governance)
E Moreton, Section Leader, Licensing - Education and Enterprise

Wolverhampton
City Council



PART I - OPEN ITEMS

Declarations of Interest

124 No interests were declared.

Exclusion of Press and Public

125 Resolved:-
That, in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from consideration of the items of business in Part II of the Agenda, on the grounds that in view of the nature of the business to be transacted or the nature of the proceedings, exempt information falling within paragraph 3 of Schedule 12A to the Act (information relating to the business affairs of particular persons) is likely to be disclosed.

PART II - EXEMPT ITEMS

Application for a Private Vehicle Driver's Licence (Appendix 50)

The Chair introduced the Sub-Committee and Officers. The Section Leader (Licensing) then briefly outlined the report.

Mr Ourybah was in attendance at the meeting in connection with his application for a Private Hire Vehicle Driver's Licence and answered questions raised by Members of the Sub-Committee and Officers, in regard to his convictions, as appropriate.

Mr Ourybah was afforded the opportunity to make a final statement. All parties, with the exception of the City Council's Solicitor and Democratic Support Officer, then withdrew from the meeting to enable the Sub-Committee to make their decision.

The Solicitor outlined the powers available to the Sub-Committee in determining the matter.

126 Resolved:-
That a Private Hire Vehicle Driver's Licence be granted to Mr D Ourybah for a period of 12 months, subject to a satisfactory medical report and his passing the driving ability and knowledge tests.

The parties returned and the Chair outlined the decision of the Sub-Committee. The parties then withdrew.

Review of a Private Hire Vehicle Driver's Licence (Appendix 51)

The Chair introduced the Sub-Committee and Officers. The Section Leader (Licensing) then briefly outlined the report.

Mr Khalid was in attendance at the meeting in connection with the review of his Private Hire Vehicle Driver's Licence and answered questions raised by Members and Officers, in regard to his convictions, as appropriate.

Mr Khalid was afforded the opportunity to make a final statement. All parties, with the exception of the City Council's Solicitor and Democratic Support Officer, then withdrew from the meeting to enable the Sub-Committee to make their decision.

The Solicitor outlined the powers available to the Sub-Committee in determining the matter.

127

Resolved:-

That, having given careful consideration to all the information contained in the Licensing Officer's report and the representations made by Mr K Khalid at the meeting, Mr Khalid is considered a fit and proper person to hold a Private Hire Vehicle Driver's Licence and accordingly the Sub-Committee have decided to take no further action on this matter. However, in view of the recent traffic offence, this decision is subject to review by the Head of Service in 6 months time.

Review of a Private Hire Vehicle Driver's Licence (Appendix 52)

The Chair introduced the Sub-Committee and Officers. The Section Leader (Licensing) then briefly outlined the report.

Mr Evans was in attendance at the meeting in connection with the review of his Private Hire Vehicle Driver's Licence and answered questions raised by Members and Officers, in regard to his convictions, as appropriate. Mr Evans produced supporting correspondence from his current employer and Probation Officer.

Mr Evans was afforded the opportunity to make a final statement. All parties, with the exception of the City Council's Solicitor and Democratic Support Officer, then withdrew from the meeting to enable the Sub-Committee to make their decision.

The Solicitor outlined the powers available to the Sub-Committee in determining the matter.

127

Resolved:-

That, having given careful consideration to all the information contained in the Licensing Officer's report and the representations made by Mr Evans at the meeting, Mr Evans is considered a fit and proper person to hold a Private Hire Vehicle Driver's Licence and accordingly the Sub-Committee have decided to take no further action on this matter. However, this decision is subject to review by the Head of Service in 6 months time and again in 12 months time.

Urgent Item

128

Resolved:-

(a) That, in accordance with Section 100B(b) of the Local Government Act 1972, the following urgent item of business be considered due to the reason stated.

(b) That, in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from consideration of this item, on the grounds that in view of the nature of the business to be transacted or the nature of the proceedings, exempt information falling within paragraph 3 of Schedule 12A to the Act (information relating to the business affairs of particular persons) is likely to be disclosed.

<u>Item</u>	<u>Reason for Urgency</u>
Review Prior to Renewal of a Private Hire Vehicle Driver's Licence	Current Licence has expired

Review prior to Renewal of a Private Hire Vehicle Driver's Licence (Appendix 53)

The Chair introduced the Sub-Committee and Officers. The Section Leader (Licensing) then briefly outlined the report.

Mr Smith was in attendance at the meeting in connection with the review, prior to renewal, of his Private Hire Vehicle Driver's Licence and answered questions raised by Members and Officers, in regard to his convictions, as appropriate.

Mr Smith was afforded the opportunity to make a final statement. All parties, with the exception of the City Council's Solicitor and Democratic Support Officer, then withdrew from the meeting to enable the Sub-Committee to make their decision.

The Solicitor outlined the powers available to the Sub-Committee in determining the matter.

129

Resolved:-

That, having given careful consideration to all the information contained within the Licensing Officer's report and listened to the representations made by Mr P J Smith at the meeting, the Sub-Committee are concerned about the number of traffic offences and the non disclosure of a conviction. They have come to the view that Mr Smith is not, at the present time, a fit and proper person to hold a Private Hire vehicle Driver's Licence and have decided therefore, in accordance with paragraphs 5.1.1(b) and 5.1.19(b) of the Council's relating to the relevance of convictions and breaches of Licence conditions and Section 61 of the Local Government (Miscellaneous Provisions) Act 1976, to refuse to renew the Licence. In accordance with Section 59 of the Local Government (Miscellaneous Provisions) Act 1976, Mr Smith has a right of appeal to the Magistrates Court within 21 days of written receipt of this decision.