

Attendance

Members of the Regulatory Sub-Committee

Cllr Phil Page (Chair)
Cllr Anwen Muston
Cllr Wendy Dalton

Employees

Sarah Hardwick	Senior Solicitor
Onkaren Sandhu	Senior Licensing Officer
Kevin Roberts	Senior Legal Executive
Donna Cope	Democratic Services Officer
Jacob Stokes	Democratic Services Assistant

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

Onkaren Sandhu, 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.

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

The Chair invited MN to make representations.

MN stated that since his last conviction he had done lots of work with the Probation Service and was now rehabilitated. He stated that he was a mature and responsible person and should be given a chance.

All parties were invited to question MN on the submission and MN responded to questions asked.

The Chair invited MN to make a final statement. MN did so.

MN and Onkaren Sandhu left the room to allow the Sub-Committee to determine the matter.

All parties were invited back to the meeting.

The Chair advised them of the decision of the Sub-Committee, which was explained in full by the Senior Solicitor.

Resolved:

That having considered all the evidence both written and oral, provided at the hearing, the Sub-Committee were satisfied that MN was a fit and proper person to hold a Private Hire Vehicle Driver's Licence and therefore resolved to grant the application.

5 **Application for a Private Hire Vehicle Driver's Licence - RJ**

RJ was unable to attend. Hearing deferred to a future date.

6 **Application for a Private Hire Vehicle Driver's Licence - KM**

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

Onkaren Sandhu, 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 KM 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. The Section Leader responded to questions asked.

The Chair invited KM to make representations.

KM discussed the circumstances that had led to her convictions and explained how she had turned her life around.

All parties were invited to question KM on the submission and KM responded to questions asked. She stated that she had additional supporting documents with her and wished for them to be considered by the Sub-Committee. The Sub-Committee agreed to the request (copies filed with these minutes).

The Chair invited KM to make a final statement. KM did so.

KM and Onkaren Sandhu left the room to allow the Sub-Committee to determine the matter.

All parties were invited back to the meeting.

The Chair advised them of the decision of the Sub-Committee, which was explained in full by the Senior Solicitor.

Resolved:

That having considered all the evidence both written and oral, provided at the hearing, the Sub-Committee was not satisfied that KM was a fit and proper person and therefore, in accordance with Section 51 of the Local Government (Miscellaneous Provisions) Act 1976, resolved not to grant KM a Private Hire Vehicle Driver's Licence. This decision was made in accordance with paragraph 5.1.4 of the guidelines relating to relevance of convictions and breaches of licence conditions agreed by the Non-Statutory Licence Committee on 20 March 2019.

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.

7 **Review of a Private Hire Vehicle Driver's Licence - AT**

The Chair invited Onkaren Sandhu, Section Leader Licensing, the witness for the local authority (SH), and the Private Hire Vehicle Driver (AT) into the Hearing. AT was accompanied by his legal representative, Mr Hussain. The Chair led round-table introductions and outlined the procedure to be followed.

Onkaren Sandhu, Section Leader Licensing, outlined the report regarding a review of 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 AT 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. No questions were asked.

The Chair invited a witness for the local authority (SH) to make representations.

SH outlined the incident that had taken place.

All parties were invited to question SH on the submission. No questions were asked.

The Chair invited AT to make representations.

Mr Hussain made representations on behalf of AT. He stated that the alleged incident had not taken place and that the witness had made it all up following a dispute with AT over the journey end point.

All parties were invited to question AT and Mr Hussain on the submission. AT and Mr Hussain responded to questions asked. They disputed the allegations further and stated that AT had a five star driver rating.

The Chair invited Mr Hussain and AT to make a final statement. Mr Hussain did so.

AT, Mr Hussain, SH and Onkaren Sandhu left the room to allow the Sub-Committee to determine the matter.

All parties were invited back to the meeting.

The Chair advised them of the decision of the Sub-Committee, which was explained in full by the Senior Solicitor.

Resolved:

That having considered all the evidence both written and oral, provided at the hearing, the Sub-Committee was not satisfied that AT was a fit and proper person to hold a Private Hire Vehicle Driver's Licence and therefore decided to revoke his licence with immediate effect.

This action was taken in accordance with S61 2B of the Local Government (Miscellaneous Provisions) Act 1976, as amended and section 5.1.25(b) of the Guidelines Relating to the Relevance of Convictions and Breaches of Licence Conditions (copy enclosed) approved by the Non-Statutory Licensing Committee on 20 March 2019.

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.