

CITY OF
WOLVERHAMPTON
COUNCIL

Licensing Sub-Committee

Minutes - 23 November 2018

Attendance

Members of the Licensing Sub-Committee

Cllr Alan Bolshaw (Chair)

Cllr Rita Potter

Cllr Jane Stevenson

Employees

Elaine Moreton

Richard Phillips

Donna Cope

Section Leader, Licensing

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 (MI)

The Chair invited Elaine Moreton, Section Leader, Licensing, and the Applicant (MI) 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 MI was a fit and proper person to hold a Private Hire Vehicle Driver's Licence due to the information outlined in the report.

MI confirmed that the information contained within the report was accurate.

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

The Chair invited MI to make representations.

MI discussed his current occupation and detailed his personal circumstances. He explained that he had been young and vulnerable and fallen into the wrong crowd. He stated he was now a changed person and family man.

All parties were invited to question MI on his submission.

In response to questions from the Sub-Committee, Section Leader and Solicitor, MI elaborated further on his personal circumstance and occupation. He discussed the situations that lead to his convictions and explained how he was now rehabilitated.

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

The Chair invited MI to make a final statement.

MI stated that he had learnt from his mistakes and was a changed person.

MI 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:

Having considered all the evidence presented at the Hearing, both written and oral, the Sub-Committee resolved to depart from the guidelines and granted MI a Private Hire Vehicle Driver's Licence for a period of 12 months subject to the following:

- That the Applicant completed an Anger Management Course at his own expense.
- That the Applicant attended a meeting with Licensing Services after 6 months to review his conduct and driving record to determine whether there was any reason that the licence should not continue.

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

The 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 Application for a Private Hire Vehicle Driver's Licence (WH)

The Chair invited Elaine Moreton, Section Leader, Licensing, and the Applicant (WH) 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 WH was a fit and proper person to hold a Private Hire Vehicle Driver's Licence due to the information outlined in the report.

WH confirmed that the information contained within the report was accurate.

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

The Chair invited WH to make representations.

WH requested that the Sub-Committee received a personal written statement. The Sub-Committee agreed to the request (copy filed with these minutes).

WH stated that his wrongdoings happened a long time ago and he hadn't committed any further offences.

All parties were invited to question WH on his submission.

In response to questions from the Sub-Committee, Solicitor and the Section Leader, WH discussed the situations that lead to his convictions and outlined the reasons for his application.

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

WH 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 was not satisfied that WH was 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 was not granted. This decision was made in accordance with paragraph 5.1.13(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 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.

6 Application for a Private Hire Vehicle Driver's Licence (IA)

The Chair invited Elaine Moreton, Section Leader, Licensing, and the Applicant (IA) 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 IA was a fit and proper person to hold a Private Hire Vehicle Driver's Licence due to the information outlined in the report.

IA confirmed that the information contained within the report was accurate.

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

The Chair invited IA to make representations.

IA discussed his personal circumstances and explained how he had matured. He stated that he had learnt from his mistakes and wanted to move forward with his life.

All parties were invited to question IA on his submission.

In response to questions from the Sub-Committee and Section Leader, IA discussed the situations that lead to his convictions and elaborated further on how he had changed.

The Chair invited IA to make a final statement.

IA stated that the offences were committed when he was young and he was now a reformed person.

IA 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 was not satisfied that IA was 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 was not granted. This decision was made in accordance with paragraph 5.1.13(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 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.

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