

MINUTES OF GENERAL LICENSING SUB-COMMITTEE

MEETING DATE Wednesday, 17 January 2018

MEMBERS PRESENT: Councillor Marion Lowe (Chair) and Councillors Margaret France, Mick Muncaster, Debra Platt and Kim Snape

OFFICERS: Carl Gore (Empty Properties and Enforcement Officer), Jodi Ingram (Solicitor) and Nina Neisser (Democratic and Member Services Officer)

17.LSC.141 Declarations of Any Interests

There were no declarations of interests received.

17.LSC.142 Procedure

The Chair outlined the hearing procedure that would be used to conduct the meeting.

17.LSC.143 Exclusion of the Public and Press

RESOLVED – That the press and public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information and defined in Paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972.

17.LSC.144 To Determine the Renewal of a Private Hire Driver Licence as per Section 61 of the Local Government (Miscellaneous Provisions) Act 1976

The Director of Early Intervention and Support submitted a report for the General Licensing Sub-Committee to determine whether the Licence Holder remained a fit and proper person to renew her Private Hire Driver's (PHD) licence.

The Licence Holder did not attend the hearing. Following contact in December 2017, the Licence Holder was informed that her application would be considered by the Sub-Committee on 17 January 2018 and a detailed explanation of the process was given. The Licence Holder was invited to attend the hearing to make representations.

The Empty Properties and Enforcement Officer was informed that the Licence Holder would be unable to attend the hearing as she was out of the country at this time. The Licence Holder confirmed that she was happy for the hearing to go ahead and would submit a statement for consideration by Members in her absence. She confirmed that she would not be asking another party to attend as her representative.

Before considering the report, an update was provided by the Empty Properties and Enforcement Officer. It was noted that the Officer had received contact from an

individual wishing to discuss the matter on the Licence Holder's behalf. The Empty Properties and Enforcement Officer subsequently contacted the Licence Holder on the email address she provided to request her authority to discuss the matter with the individual concerned. The Licence Holder did not respond and therefore no authority was provided. No further contact was received from the individual.

The Sub-Committee was provided with a copy of the emails from the Empty Properties and Enforcement Officer to the Licence Holder. It was noted that the Licence Holder advised that as she was travelling she would only have access to her emails intermittently.

Taking all of this into consideration the Sub-Committee agreed to continue with the hearing in the Licence Holder's absence.

The Empty Properties and Enforcement Officer informed the Sub-Committee that the Licence Holder was originally granted a PHD Licence in January 2015. In her original application there were two driving convictions noted, however, these did not prevent the issue of the licence at that time. When the Licence Holder applied to renew her PHD licence in October 2017, it was noted that three driving convictions had been received not previously known to the Council which she had failed to previously disclose as required by the conditions of her licence. The Licence Holder subsequently provided the Council with the required documentation.

Following confirmation that the Licence Holder would not be in the country to attend the hearing on 17 January 2018 she submitted a statement in December 2017. The statement explained the nature of her motoring convictions which had failed to be disclosed. In the statement, the Licence Holder reassured the Sub-Committee that she took extra care as to not exceed the required legal speed limits since receiving these motoring convictions.

Members were advised that apart from the information provided in regards to motoring convictions, there were no other adverse comments recorded on the Licence Holder's driver record.

After careful consideration of all the relevant information in the report and the representation from the Council's Empty Properties and Enforcement Officer, consideration of the Licence Holder's statement, and having regard for the Council's Safeguarding, Suitability and Convictions Policy for Taxi Licensing, the Sub-Committee **RESOLVED that;**

- 1. The application to renew be granted as Members considered that the Licence Holder remained a fit a proper person to hold a Private Hire Drivers Licence.**

A warning would be issued to remain on the Licence Holder's record as she failed to inform the Council of the convictions within 7 days in accordance with the licence conditions.

Chair

Date