

General Licensing Sub-Committee

Wednesday, 27 May 2015

Present: Councillor Roy Lees (Chair), Councillor (Vice-Chair) and Councillors Anthony Gee, Mark Jarnell, Matthew Lynch and Mick Muncaster

Also present:

Officer: Elizabeth Walsh (Solicitor), Stephen Culleton (Licensing Officer) and Dianne Scambler (Democratic and Member Services Officer)

15.LSC.36 DECLARATIONS OF ANY INTERESTS

There were no declarations of any interests.

15.LSC.37 EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED - That the press and public be excluded from the meeting for the following items of business on the ground that they involve the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of schedule 12A of the Local Government Act 1972.

15.LSC.38 APPLICATION FOR THE GRANT OF A PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS LICENCE UNDER SECTION 51 OF THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

The Sub-Committee considered the report in the presence of the applicant to determine whether he was a fit and proper person to hold a private hire and hackney carriage Driver's Licence in light of the Council's Policy in relation to convictions.

The Council's Licensing Officer outlined the report to the Members of the Committee and the applicant attended the meeting to give his representations.

The applicant had disclosed within his application a number of convictions recorded against him in addition to the information contained on the Disclosure and Barring Service (DBS) disclosure certificate, including details of a conviction for the possession of drugs.

During his interview with officers, he had also disclosed a number of convictions recorded against him in relation to his DVLA licence and at the Sub Committee meeting answered questions in relation to those offences.

Members fully considered all the facts brought to their attention both verbally and written and **RESOLVED that the applicant was a fit and proper person to hold a private hire and hackney carriage driver's licence under Section 51 of the Local Government (Miscellaneous Provisions) Act 1976 and that his application should be approved subject to the requirements of the standard conditions for the following reasons:**

Members considered the Council's Policy on previous convictions which envisages rehabilitation periods of between 5 and 10 years. Driving without insurance is a serious offence as is the LC20 conviction which would require a substantial period to elapse before the applicant could be considered again for a private hire and hackney carriage driver licence.

In light of this Members noted that:

- a) Although it is the Council's Policy in relation to previous convictions to consider applications where a period of 5-10 years is to elapse, in this case as almost five years have elapsed since his convictions. It is within the Sub-Committee's gift to grant the taxi driver licence under paragraph B.1.3.2**
- b) The applicant has not been convicted of any further offences in the intervening period and had expressed remorse.**

However, Members noted the seriousness of his convictions and made it clear to the applicant that should he commit any further offence he will be brought back before the General Licensing Sub Committee.

Chair