

WEST LINDSEY DISTRICT COUNCIL

MINUTES of a Meeting of the Taxi and General Licensing Sub-Committee held in the Ancholme Meeting Room at the Guildhall, Marshall's Yard, Gainsborough on Tuesday 11 March 2014 at 1.30 pm

Present: Councillor Owen Bierley (Chairman – in the Chair)
Councillor Lewis Strange (vice chairman)

Councillor Mark Binns
Councillor Jackie Brockway
Councillor David Cotton
Councillor Burt Keimach
Councillor Jessie Milne
Councillor Judy Rainsforth
Councillor Di Rodgers
Councillor Geoff Wiseman

In Attendance: Licensing Team Manager
Licensing Officer
Legal Adviser
Governance and Civic Officer

Apologies: None

Membership: Councillor Jessie Milne substituted for the vacant seat

52 MINUTES (TGL.36 13/14)

- (a) Meeting of the Taxi and General Licensing Sub-Committee held on 5 February 2014.

RESOLVED that the minutes of the meeting of the Taxi and General Licensing Sub-Committee held on 5 February 2014 be confirmed and signed as a correct record.

53 MEMBERS' DECLARATIONS OF INTEREST

There were no declarations of interest.

54 EXCLUSION OF PUBLIC AND PRESS

RESOLVED that under Section 100 (A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following items of business on the grounds 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 – Information relating to an individual.

At the start of the meeting the Licensing Officer confirmed that none of the applicants had yet arrived. As Papers B and C had both previously been deferred to allow the applicants the opportunity to attend it was proposed that these two applications be considered to allow time for the subject of Paper D time to attend.

55 APPLICATION FOR GRANT OF A PRIVATE HIRE/HACKNEY CARRIAGE LICENCE (TGL.24 13/14)

The Chairman welcomed all present to the meeting and round the table introductions were made. The Principles of Natural Justice were followed.

The Sub-Committee were asked to determine whether or not the Applicant was a 'fit and proper' person to be issued a licence. The Licensing Team Manager presented the report which detailed an application for the grant of a combined hackney carriage / private hire driver's licence for an applicant who had convictions for various offences.

The Sub-Committee were unable to question the applicant in his absence to gain further details or understanding of the circumstances. As the applicant had had two previous opportunities to attend the committee, the Sub-Committee Members felt that they were not in a position to judge his demeanour as to whether he was a 'fit and proper person' so had to determine the application on the face of the evidence in the report before them. It was also noted that because it had been some time since the original submission of the application there was no guarantee that the CRB check was still relevant.

RESOLVED that due to the serious nature of the offence in 1995 and also the more recent driving offences, with the repeated failure to attend the Sub-Committee to present his case, the applicant was not a 'fit and proper person', therefore the application be **REFUSED**.

56 APPLICATION FOR GRANT OF A PRIVATE HIRE/HACKNEY CARRIAGE LICENCE (TGL.32 13/14)

The Sub-Committee were asked to determine whether or not the applicant was a 'fit and proper' person to be issued a licence. The Licensing Team Manager presented the report which detailed an application for the grant of a combined hackney carriage / private hire driver's licence for an applicant who, whilst not having any convictions, was the subject of a letter received from the Chief Police Officer relating to an allegation of abuse of position of trust.

The applicant had previously stated that he would submit additional statements as supporting information and character references when he was invited to attend a previously arranged Hearing. However these had not been received for the earlier Hearing or for today's Hearing either. It was affirmed that two other local authorities had refused licences to the applicant.

The Sub-Committee were unable to question the applicant in his absence to gain further details or understanding of the circumstances. As the applicant had had one previous opportunity to attend the committee the Sub-Committee Members felt that they were not in a position to judge his demeanour as to whether he was a 'fit and proper person' so had to determine the application on the face of the evidence in the report before them. It was noted that the Chief Police Officer would not share such information lightly.

RESOLVED that due to the serious nature of the allegations reported to the Sub-Committee, and the failure of the applicant to attend the Sub-Committee to present his case or submit further information, the applicant was not a 'fit and proper person', therefore the application be **REFUSED**.

The Sub-Committee then adjourned for a short comfort break to allow further time for the applicant (TGL.37 13/14) to attend.

The Sub-Committee reconvened at 2.05pm and agreed that as the applicant had still not arrived the application be determined in his absence.

57 APPLICATION FOR GRANT OF A PRIVATE HIRE/HACKNEY CARRIAGE LICENCE (TGL.37 13/14)

The Sub-Committee were asked to determine whether or not the Applicant was a 'fit and proper' person to be issued a licence. The Licensing Team Manager presented the report which detailed an application for the grant of a combined hackney carriage / private hire driver's licence for an applicant who had convictions for various offences.

The Sub-Committee were unable to question the applicant in his absence to gain further details or understanding of the circumstances. As the applicant was not present the Sub-Committee Members felt that they were not in a position to judge his demeanour as to whether he was a 'fit and proper person' so had to determine the application on the face of the evidence in the report before them.

RESOLVED that due to the serious nature of the offences in 1998 and also the more recent driving offences, the applicant was not a 'fit and proper person', therefore the application be **REFUSED**.

The meeting closed at 2.10 pm

Chairman