

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 Friday 28 March 2014 at 10 am

- Present:** Councillor Owen Bierley (Chairman – in the Chair)
- Councillor Mark Binns
Councillor Jackie Brockway
Councillor David Cotton
Councillor Burt Keimach
Councillor Jessie Milne
Councillor Judy Rainsforth
Councillor Geoff Wiseman
- In Attendance:** Licensing Team Manager
Licensing Officer
Legal Adviser
Governance and Civic Officer
- Apologies:** Councillor Di Rodgers
Councillor Lewis Strange
- Membership:** Councillor Jessie Milne substituted for the vacant seat

58 MINUTES (TGL.38 13/14)

- (a) Meeting of the Taxi and General Licensing Sub-Committee held on 11 March 2014.

RESOLVED that the minutes of the meeting of the Taxi and General Licensing Sub-Committee held on 11 March 2014 be confirmed and signed as a correct record.

59 MEMBERS' DECLARATIONS OF INTEREST

There were no declarations of interest.

60 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 item of business on the grounds that it involves 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.

The Licensing Team Manager advised Sub-Committee Members that Paper C had been withdrawn.

In terms of Paper B, the applicant had given notice that he would not be attending, however he had been encouraged to attend, and he had been notified that the matter could still be heard by the Sub-Committee even if he was not present. The applicant had also stated that he did not feel that he had been issued with the documentation in sufficient time, but it was affirmed by the Licensing Team Manager that the applicant had received the papers on the same date as the Sub-Committee Members and this was in accordance with the Access to Information procedures.

The Licensing Team Manager further informed the Sub-Committee that two of the complainants who had submitted written statements had agreed to attend the meeting and present their evidence.

It was proposed and seconded that the witnesses be heard and that the case be considered in the applicant's absence. On being voted upon this was **AGREED.**

61 CONDUCT OF A WLDC LICENSED HACKNEY CARRIAGE / PRIVATE HIRE DRIVER (TGL.39 13/14)

The Licensing Team Manager presented the report, reminding Members that the applicant had appeared before them on 5 February 2014 and had been permitted to retain his Hackney Carriage/Private Hire Driver's Licence with a strict warning as to his future conduct. Since that time several further complaints had been received by the Council, therefore it was felt necessary to submit the case for Sub-Committee consideration.

The recently received complaints were all of a similar nature to those heard at the previous meeting.

The first of the witnesses was invited into the meeting and presented the circumstances of their complaint. The Sub-Committee Members asked a number of pertinent questions, following which the complainant left the meeting, after being thanked for attending and being reminded that the meeting was private and confidential, and that they would be notified of the decision in due course.

The second witness was invited into the meeting and presented the circumstances of their complaint. The Sub-Committee Members asked a number of pertinent questions, following which the complainant left the meeting, after being thanked for attending and being reminded that the meeting was private and confidential, and that they would be notified of the decision in due course.

The Sub-Committee then adjourned for a short comfort break at 11.40am and reconvened to undertake its deliberation at 11.50am.

The Legal representative advised Members of the options available to them.

The Licensing Team Manager returned to the meeting at 12.10 to be informed of the decision.

RESOLVED that the applicant was not a fit and proper person to hold a hackney carriage and private hire driver's licence. Furthermore, they determined that the licensing authority would not entertain another application from him for a period of two years. The Committee were of the opinion that it was in the interest of public safety to require revocation of the applicant's driver's licence, with immediate effect, in accordance with section 52 of the Road Safety Act 2006.

There is a right of appeal to the Magistrates Court within 21 days of notification of the decision.

The meeting closed at 12.15 pm

Chairman