

## WEST LINDSEY DISTRICT COUNCIL

MINUTES of a Meeting of the Taxi and General Licensing Sub-Committee held in the Trent Meeting Room at the Guildhall, Marshall's Yard, Gainsborough on Tuesday 3 December 2013 at 10 am

**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 Judy Rainsforth  
Councillor Di Rodgers  
Councillor Geoff Wiseman

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

**Apologies:** Councillor William Parry

**Membership:** No substitutions were given

### 41 MINUTES (TGL.30 13/14)

- (a) Meeting of the Taxi and General Licensing Sub-Committee held on 5 November 2013

**RESOLVED** that the minutes of the meeting of the Taxi and General Licensing Sub-Committee held on 5 November 2013 be confirmed and signed as a correct record.

### 42 MEMBERS' DECLARATIONS OF INTEREST

There were no declarations of interest.

### 43 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.

**44 COMBINED HACKNEY CARRIAGE / PRIVATE HIRE DRIVERS LICENCE (TGL.32 13/14)**

The Licensing Team Manager informed the Committee that the applicant had been unable to attend, but would like to be present when his case is heard.

**RESOLVED** that the application TGL.32 13/14 be deferred to a future meeting to enable the applicant to attend.

**44 COMBINED HACKNEY CARRIAGE / PRIVATE HIRE DRIVERS LICENCE (TGL.24 13/14)**

The Licensing Team Manager informed the Committee that the applicant had been unable to attend, but was happy for the case to be heard in his absence.

The Committee felt that there was insufficient information in the application to be able to make a decision without being able to question the applicant. It was therefore agreed that to give the applicant every possible opportunity to present his case, consideration of the application be deferred to a future meeting, and the applicant be requested to provide further details on the offences listed.

**RESOLVED** that the application TGL.24 13/14 be deferred to a future meeting to enable the applicant to attend.

**44 COMBINED HACKNEY CARRIAGE / PRIVATE HIRE DRIVERS LICENCE (TGL.28 13/14)**

The Licensing Team Manager informed the Committee that the applicant had been unable to attend, but insisted that the case be heard in his absence.

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 Licensing Team Manager read out a further email that had been received from the applicant, he stated that he had made mistakes when he was younger but that he now had responsibilities and had since kept a clean licence, and that his convictions would be spent in two months.

The Licensing Team Manager reminded Members that taxi licence applications were exempt from the Rehabilitation of Offenders Act so offences were never

wiped from records. Members of the Sub-Committee asked a number of questions regarding the offences, but the Licensing Team Manager was not able to give specific details in the absence of the applicant. The application had previously been deferred to enable the applicant to attend, so needed to be determined at this meeting.

**RESOLVED** that :-

The Sub-Committee have read all the evidence provided to them. The Sub-Committee have noted that this is the second time the application has been before the Committee. The previous occasion the Committee deferred the application to enable the applicant to attend. The Committee further note that the applicant has not provided any further information regarding his disqualification from driving for 6 months. In light of the information provided to them in relation to the applicant's driving conviction the Committee is of the view that the applicant is not a fit and proper person using the following test.

“Would you allow your son or daughter, spouse or partner, mother or father, grandson or granddaughter or any other person for whom you care, to get into a vehicle with this person alone?”

The Sub-Committee have therefore decided that application is **REFUSED**

The applicant would be notified that there was a right of appeal to the Magistrate's Court within 21 days.

The meeting closed at 11am

Chairman