

WEST LINDSEY DISTRICT COUNCIL

MINUTES of a Meeting of the Taxi and General Licensing Sub-Committee held in the Council Chamber at the Guildhall, Marshall's Yard, Gainsborough on Wednesday 18 November 2015 at 10am

- Present:** Councillor Lewis Strange (Chairman)
Councillor Judy Rainsforth (Vice Chairman)
- Councillor Sheila Bibb
Councillor Paul Howitt-Cowan
Councillor Pat Mewis
Councillor Jessie Milne
Councillor Thomas Smith
- In Attendance:** Licensing Team Manager
Licensing Enforcement Officer
Legal Adviser
Governance and Civic Officer
Support Officer
- Apologies:** Councillor David Bond
Councillor David Cotton
Councillor Angela Lawrence
Councillor Roger Patterson
- Membership:** Councillor Milne substituted for Councillor Lawrence
Councillor Howitt-Cowan substituted for Councillor Patterson

Note: The Chairman opened the meeting by requesting that Members and officers observe a minute's silence for the victims of the attack in Paris a few days earlier.

5 MINUTES

- (a) Meeting of the Taxi and General Licensing Sub-Committee held on 21 April 2015 (TGL.01 15/16)

RESOLVED that the minutes of the meeting of the Taxi and General Licensing Sub-Committee held on 21 April 2015 be confirmed and signed as a correct record.

- (b) Meeting of the Taxi and General Licensing Sub-Committee held on 21 May 2015 (TGL.02 15/16)

RESOLVED that the minutes of the meeting of the Taxi and General Licensing Sub-Committee held on 21 May 2015 be confirmed and signed as a correct record.

6 MEMBERS' DECLARATIONS OF INTEREST

No declarations were made.

7 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.

8 THE GRANT OF A HACKNEY CARRIAGE PROPRIETOR'S LICENCE (TGL.03 15/16)

An application had been received to renew an existing Hackney Carriage/Private Hire Proprietor's licence. This had been submitted for consideration by the Sub-Committee as there were concerns regarding where the applicant was plying for hire. The Licence applicant was not present at the hearing and had sent a letter to confirm his non-attendance due to family commitments.

The Sub-Committee took the decision to still consider the report before them, as the Licensee in question was still in possession of a Driver's badge and should he apply in the future to regain his vehicle plate it needed to be possible to produce a record of the Sub-Committee's deliberations.

The Licensing Team Manager presented the report and confirmed that Lincolnshire Police had stated that there were no readings of the Licensee's car on the ANPR cameras in West Lindsey in the preceding three months. Despite the Licensee declaring that he would be using his taxi in West Lindsey no evidence could be found of him doing so and no documentation (such as petrol receipts) had been provided as proof.

The sub-committee note the paramount reason for hackney carriage and private hire licensing is public safety. They are satisfied that by not operating in the WLDC area public safety is being compromised as officers cannot spot check vehicles not in the area, and officers in other areas do not have authorisation to check the vehicle.

The sub-committee are of the view in light of the information before them that the application should be refused on the basis of any other reasonable cause under section 60 (1)(c) LG (MP) Act 1976.

RESOLVED that – the Licence be refused.

Reason: From the written statement from the licensee and the evidence in the papers it was clear that the applicant was not plying for hire within West Lindsey. This was clearly contrary to policy and a concern for public safety, therefore the licence be refused.

There was a right of appeal to the Magistrate's Court within 21 days.

9 THE GRANT OF A HACKNEY CARRIAGE PROPRIETOR'S LICENCE (TGL.04 15/16)

An application had been received to renew an existing Hackney Carriage/Private Hire Proprietor's licence. This had been submitted for consideration by the Sub-Committee as there were concerns regarding where the applicant was plying for hire. The Licence applicant was not present at the hearing and had sent an email to confirm his non-attendance and offering to withdraw his application and surrender his plate.

The Sub-Committee took the decision to still consider the report before them, as the Licensee in question was still in possession of a Driver's badge and should he apply in the future to regain his vehicle plate it needed to be possible to produce a record of the Sub-Committee's deliberations.

The Licensing Team Manager presented the report and confirmed that Lincolnshire Police had stated that there were no readings of the Licensee's car on the ANPR cameras in West Lindsey in the preceding three months. Despite the Licensee declaring that he would be using his taxi in West Lindsey no evidence could be found of him doing so and no documentation (such as petrol receipts) had been provided as proof.

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The meeting closed at 11.05am

Chairman