

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 17 December 2014 at 10.30am

Present: Councillor Alan Caine (Chairman – in the Chair)

Councillor Owen Bierley
Councillor Jackie Brockway
Councillor David Cotton
Councillor Jessie Milne
Councillor Judy Rainsforth

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

Also in Attendance: The Applicant in relation to report TGL.07 14/15

Apologies: Councillor Irmgard Parrott
Councillor Di Rodgers
Councillor Burt Keimach
Councillor Paul Howitt-Cowan

Membership: Councillor Jessie Milne substituted for Councillor Howitt-Cowan

13 MINUTES (TGL.06 14/15)

- (a) Meeting of the Taxi and General Licensing Sub-Committee held on 23 October 2014 (TGL.06 14/15)

RESOLVED that the minutes of the meeting of the Taxi and General Licensing Sub-Committee held on 23 October 2014 be confirmed and signed as a correct record.

14 MEMBERS' DECLARATIONS OF INTEREST

Councillor Reverend Cotton declared a personal interest in that he sat as a magistrate and should the decision on the application be the subject of an appeal, he would not be able to take part.

15 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.

16 APPLICATION FOR COMBINED HACKNEY CARRIAGE / PRIVATE HIRE DRIVER'S LICENCE (TGL.07 14/15)

The Chairman welcomed all present to the meeting and round the table introductions were made. The Principles of Natural Justice were followed. Confirmation was sought that the Applicant was aware that he could have been represented at the meeting, this was affirmed.

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

The Sub-Committee posed a number of pertinent questions to the Applicant during which the Applicant explained the circumstances of the incidents of which he had been convicted and assured the Sub-Committee that he now had a child, and no longer put himself into the situations under which the incidents had occurred.

The Licensing Team Manager and the Applicant were both provided with the opportunity to sum up their cases during which it was noted that there was no definition of "fit and proper persons".

The Licensing Team Manager, the Licensing Officer and the Applicant withdrew from the meeting whilst the Sub-Committee debated the matter. They were subsequently recalled to the meeting and informed of the decision as follows: -

The Taxi and General Licensing Sub-Committee carefully considered the evidence presented and were of the opinion that the criteria in the Council guidelines and the test of fitness and propriety is satisfied and that the licence as applied for by the applicant should be granted.

RESOLVED that the application be granted with a strict warning in relation to future conduct and if in the future the applicant was brought in front of the Sub-Committee for any breaches, the licence could be revoked.

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

The meeting closed at 11.45am

Chairman