

## 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 Tuesday 21 April 2015 at 10am

- Present:** Councillor Owen Bierley (in the Chair)
- Councillor Jackie Brockway  
Councillor Paul Howitt-Cowan  
Councillor Jessie Milne  
Councillor Judy Rainsforth
- In Attendance:** Licensing Team Manager  
Licensing Enforcement Officer  
Legal Adviser  
Governance and Civic Officer
- Apologies:** Councillor Alan Caine  
Councillor David Cotton  
Councillor Burt Keimach  
Councillor Irmgard Parrott  
Councillor Di Rodgers
- Membership:** Councillor Jessie Milne substituted for Councillor Keimach

### 22 ELECTION OF CHAIRMAN

In the absence of the Chair and Vice Chair nominations were sought for the position of Chairman for this meeting only.

**RESOLVED** that Councillor Bierley be elected Chairman of the Taxi and General Licensing Sub-Committee for this meeting.

Councillor Bierley took the Chair for the remainder of the meeting.

### 23 MINUTES (TGL.10 14/15)

- (a) Meeting of the Taxi and General Licensing Sub-Committee held on 26 March 2015 (TGL.10 14/15)

**RESOLVED** that the minutes of the meeting of the Taxi and General Licensing Sub-Committee held on 26 March 2015 be confirmed and signed as a correct record.

### 24 MEMBERS' DECLARATIONS OF INTEREST

None

## **25 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.

## **26 CHAIRMAN'S INTENTION TO VARY THE ORDER OF THE AGENDA.**

Whilst the subjects of reports B and C had indicated that they would not be attending, no communication had been received from the subject of Paper A. The Chairman suggested that Paper A be left until after the deliberation of B and C in order to allow for a possible late arrival of the first subject.

**RESOLVED** that the order of the agenda be changed in order to give the opportunity for the subject of Paper A to arrive.

## **27 THE USE OF A HACKNEY CARRIAGE PROPRIETOR'S LICENCE (TGL.12 14/15)**

The Licensee subject of the report was not present at the hearing and had visited the Guildhall on the previous day and had signed a written statement that he would not be attending and as he now had alternative employment, had agreed to return his hackney carriage 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 gave the background evidence which had given rise to the case being put before the Sub-Committee. Despite the Licensee giving assurance that he would be using his taxi in West Lindsey no evidence could be found of him doing so.

The Sub-Committee therefore felt that there was little likelihood of the licensee trading within West Lindsey, and subsequently the Licence should be revoked in order to ensure safeguarding and a Duty of Care.

**RESOLVED** that – The Licence be revoked  
**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 to a material

extent within West Lindsey. This was clearly contrary to policy and a concern for public safety, therefore the licence be revoked.

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

## **28 THE USE OF A HACKNEY CARRIAGE PROPRIETOR'S LICENCE (TGL.13 14/15)**

The Licensee subject of the report was not present at the hearing and had visited the Guildhall on the previous day and had signed a written statement that he would not be attending and as he now had alternative employment, had agreed to return his hackney carriage 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.

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The Sub-Committee therefore felt that there was little likelihood of the licensee trading within West Lindsey, and subsequently the Licence should be revoked in order to ensure safeguarding and a Duty of Care.

**RESOLVED** that – The Licence be revoked  
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 to a material extent within West Lindsey. This was clearly contrary to policy and a concern for public safety, therefore the licence be revoked.

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

## **29 THE USE OF A HACKNEY CARRIAGE PROPRIETOR'S LICENCE (TGL.11 14/15)**

The Licensee subject of the report was not present at the hearing and had given no indication of an intention to attend. The Sub-Committee took the decision to still consider the report before them.

The Licensing Team Manager presented the report and gave the background evidence which had given rise to the case being put before the Sub-Committee. Despite the Licensee giving assurance that he would be using his taxi in West Lindsey no evidence could be found of him doing so.

The Sub-Committee therefore felt that there was little likelihood of the licensee trading within West Lindsey, and subsequently the Licence should be revoked in order to ensure safeguarding and a Duty of Care.

**RESOLVED** that – The Licence be revoked

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

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

The meeting closed at 10.35am

Chairman