

## 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 Friday 29 January 2016 at 2pm

**Present:** Councillor Lewis Strange (Chairman)  
Councillor Judy Rainsforth (Vice Chairman)

Councillor Sheila Bibb  
Councillor David Bond  
Councillor Thomas Smith

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

**Also Present:** Councillor Angela Lawrence

**Apologies:** Councillor David Cotton  
Councillor Pat Mewis  
Councillor Roger Patterson

**Membership:** There were no substitutions

### 10 MINUTES

- (a) Meeting of the Taxi and General Licensing Sub-Committee held on 18 November 2015 (TGL.05 15/16)

**RESOLVED** that the minutes of the meeting of the Taxi and General Licensing Sub-Committee held on 18 November 2015 be confirmed and signed as a correct record.

### 11 MEMBERS' DECLARATIONS OF INTEREST

No declarations were made.

### 12 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.

**13 APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE (TGL.06 15/16)**

An application had been received for the grant of a Hackney Carriage/Private Hire Driver's Licence and had been referred to the Sub-Committee for consideration due to offences committed by the applicant which had shown on his DBS check.

The Sub-Committee had to consider whether or not the Applicant was a fit and proper person pursuant to s59(1) of the LGMPA 1976. The Sub-Committee was aware that public safety was its paramount consideration.

The applicant had a history of previous convictions and a caution. The Committee listened carefully to the submissions of the applicant and his request to be given a chance to make a fresh start. The Applicant asked the Committee to consider that he had a 'mixed up' life including a marital breakdown and he needed the licence to earn a living from a job that had been offered to him from a local taxi firm.

The committee considered this a difficult decision which was finely balanced, and consulted the policy relating to previous convictions. The committee preferred a further time period free of convictions to have expired before the application would be approved. The committee was aware that the Council's general policy requires between 3 to 5 years free of convictions to have expired before a licence is approvable but in this case they considered, because of the amount of offences, their serious nature and the relatively short time since the last offence there was still a risk to public safety which tipped the balance in favour of refusing the licence.

The majority of the committee decided that they would not feel comfortable with their relatives being carried in a taxi being driven by the applicant, and for these reasons they considered that the applicant was not fit and proper at this stage having regard to the overriding consideration being public safety.

The application is therefore refused with a recommendation to the applicant that a further period of one year should expire before he reapplies for a licence.

**RESOLVED** that – the Licence be refused.

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

The meeting closed at 3.11pm

Chairman