

LICENSING AND APPEALS COMMITTEE

HELD: 3 DECEMBER 2013

Start: 7.30pm

Finish: 10.25pm

PRESENT: Councillor Cropper (Chairman)

Councillors: Baldock Owen
Baybutt Pendleton
Griffiths Whittington
Kay Wright
Oliver

Officers: Commercial, Safety and Licensing Manager (Mr P Charlson)
Principal Solicitor (Mr L Gardner)
Homelessness & Private Sector Housing Manager (Mrs L Lea)
Senior Licensing Officer (Mr A Denton)
Member Services/Civic Support Officer (Mrs J Brown)

30. APOLOGIES

There were no apologies for absence received.

There was an announcement made to inform the Committee that Councillor Whittington will replace Councillor Cheetham as a permanent change to the Membership of the Licensing and Appeals Committee.

31. MEMBERSHIP OF THE COMMITTEE

In accordance with Council Procedure Rule 4, the Committee noted the termination of membership of Councillors Delaney and Mrs Stephenson and the appointment of Councillors Pendleton and Mrs Baybutt for this meeting only, thereby giving effect to the wishes of the political groups.

32. URGENT BUSINESS

There were no items of urgent business.

33. DECLARATIONS OF INTEREST

There were no declarations of interest.

34. DECLARATION OF PARTY WHIP

There were no declarations of party whip.

35. MINUTES OF SUB - COMMITTEES OR WORKING GROUPS

RESOLVED: That the Minutes of the Employment Appeals Sub – Committee held on 19 September 2013 be noted.

36. MINUTES

RESOLVED That the Minutes of the meeting held on 22 October 2013 be received as a correct record and signed by the Chairman.

37. LICENSING & REGISTRATION CHARGES - FEES & CHARGES 2014/15

Consideration was given to the report of the Assistant Director Community Services as contained on pages 129 to 136 of the Book of Reports which was to consider the proposed changes in licensing and registration fees and charges for the period 1 April 2014 to 31 March 2015.

The Commercial, Safety and Licensing Manager outlined the report and responded to questions from Members of the Committee.

- RESOLVED
- A. That Hackney Carriage and Private Hire licensing fees and charges remain unchanged from those agreed for the period 1 April 2013 to 31 March 2014.
 - B. That with effect from 1 April 2014, the proposed fees and charges as contained in Table 1 to this report be approved.

38. EXCLUSION OF PRESS AND PUBLIC

RESOLVED That under Section 100 (A) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 1 (Any Individual), Paragraph 2 (Identity of an Individual) and Paragraph 7 (Criminal Matters) Part 1 of schedule 12A of that Act and as in all circumstances of the case the public interest in maintaining the exemption under schedule 12A outweighs the public interest in disclosing the information.

39. APPEAL AGAINST THE REFUSAL TO APPROVE DISABLED FACILITIES GRANT FUNDING FOR AN ADDITIONAL BEDROOM UNDER SECTION 24 OF THE HOUSING GRANTS CONSTRUCTION AND REGENERATION ACT 1996.

Consideration was given to the report of the Assistant Director Community Services as contained on pages 137 to 331 of the Book of Reports which considered an appeal for Disabled Facilities Grant Funding (DFG) to fund provision of an additional bedroom which has been refused under section 24 of the Housing Grants Construction & Regeneration Act 1996.

The Appellant attended the meeting and presented his case and responded to questions and comments raised by Members.

The Homelessness and Private Sector Housing Manager outlined the report and responded to questions and comments raised by Members.

RESOLVED That Disabled Facilities Grant Funding for an additional bedroom under Section 24 of the Housing Grants Construction & Regeneration Act 1996 be GRANTED.

(Note: The Officers from Community Services left the meeting as Members considered their decision in this case).

**40. POLICE PROSECUTION - HACKNEY CARRIAGE DRIVER
(IDENTITY OF AN INDIVIDUAL- CRIMINAL MATTERS- PARAGRAPHS 2 & 7)**

Members were asked to consider a Hackney Carriage Driver Licence having regard to offences declared by the licence holder.

The Applicant attended the meeting and was interviewed by the Committee during which the Applicant was advised of his right of appeal to the Magistrates Court if he was aggrieved by the decision.

RESOLVED That Hackney Carriage Driver Licence Number LN/3549 and Hackney Carriage Vehicle Number HCV0020 continue and that a letter be sent advising him of his future conduct.

(Note: The Officers from Community Services left the Meeting as Members considered their decision in this case).

**41. APPLICATION FOR PRIVATE HIRE DRIVER LICENCE - WK/000184456
(IDENTITY OF AN INDIVIDUAL / CRIMINAL MATTERS - PARAGRAPHS 2 & 7)**

Members were asked to consider an Application for a Private Hire Driver Licence Number WK/000184456 having regard to the offences declared on the Statutory Declaration, which accompanied the Application Form.

RESOLVED That Application Number WK/000184456 be deferred for once cycle to allow receipt of the Disclosure and Barring Service (DBS) report.

**42. APPLICATION FOR PRIVATE HIRE DRIVER LICENCE - WK/000183704
(IDENTITY OF AN INDIVIDUAL / CRIMINAL MATTERS - PARAGRAPH 2 & 7)**

Members were asked to consider an Application for a Private Hire Driver Licence Number WK/000183704 having regard to the offences declared on the Statutory Declaration, which accompanied the Application Form.

The Applicant attended the meeting and was interviewed by the Committee during which the Applicant was advised of his right of appeal to the Magistrates Court if he was aggrieved by the decision.

RESOLVED That Application Number WK/000183704 be GRANTED.

(Note: The Officers from Community Services left the Meeting as Members considered their decision in this case).

**43. APPLICATION FOR PRIVATE HIRE DRIVER LICENCE WK/000177926
(IDENTITY OF AN INDIVIDUAL / CRIMINAL MATTERS - PARAGRAPHS 2 & 7)**

Members were asked to consider an Application for a Private Hire Driver Licence Number WK/000177926 having regard to the offences declared on the Statutory Declaration, which accompanied the Application Form.

RESOLVED That Application Number WK/000177926 be endorsed 'Not Proceeded With'.

**44. APPLICATION FOR PRIVATE HIRE DRIVER LICENCE WK/000179283
(IDENTITY OF AN INDIVIDUAL / CRIMINAL MATTERS - PARAGRAPHS 2 & 7)**

Members were asked to consider an Application for a Private Hire Driver Licence Number WK/000179283 having regard to the offences declared on the Statutory Declaration, which accompanied the Application Form.

RESOLVED That Application Number WK/000179283 be deferred for one cycle to allow the Applicant a further opportunity to attend.

**45. APPLICATION FOR PRIVATE HIRE DRIVER LICENCE WK/000184381
(IDENTITY OF AN INDIVIDUAL / CRIMINAL MATTERS - PARAGRAPHS 2 & 7)**

Members were asked to consider an Application for a Private Hire Driver Licence Number WK/000184381 having regard to the offences declared on the Statutory Declaration, which accompanied the Application Form.

The Applicant attended the meeting and was interviewed by the Committee during which the Applicant was advised of his right of appeal to the Magistrates Court if he was aggrieved by the decision.

RESOLVED That Application Number WK/000184381 be GRANTED and that a warning letter be sent to him regarding speeding.

(Note: The Officers from Community Services left the Meeting as Members considered their decision in this case).

**46. APPLICATION FOR PRIVATE HIRE DRIVER LICENCE WK/000184335
(IDENTITY OF AN INDIVIDUAL / CRIMINAL MATTERS - PARAGRAPHS 2 & 7)**

Members were asked to consider an Application for a Private Hire Driver Licence Number WK/000184335 having regard to the offences declared on the Statutory Declaration, which accompanied the Application Form.

RESOLVED That Application Number WK/000184335 be deferred for one cycle to allow receipt of DVLA report and Disclosure and Barring Service (DBS) report.

- CHAIRMAN -