

LICENSING AND APPEALS COMMITTEE

HELD: 22 JULY 2014

Start: 7.30pm

Finish: 8.10pm

PRESENT: Councillor Kay (Chairman)

Councillors: Barron Ms Melling
Delaney Oliver
Devine Owen
Mrs C Evans Wright
Mee

Officers: Commercial, Safety and Licensing Manager (Mr P Charlson)
Principal Solicitor (Mr L Gardner)
Senior Licensing Officer (Mrs S Jordan)
Member Services/Civic Support Officer (Mrs J Brown)

11. APOLOGIES

There were no apologies for absence received.

12. MEMBERSHIP OF THE COMMITTEE

In accordance with Council Procedure rule 4, the Committee noted the termination of membership of Councillor Griffiths and the appointment of Councillor Barron for this meeting only, thereby giving effect to the wishes of the political groups.

13. URGENT BUSINESS

There were no items of urgent business.

14. DECLARATION OF PARTY WHIP

There were no declarations of a Party Whip.

15. DECLARATIONS OF INTEREST

Councillor Devine declared a pecuniary interest relating to agenda item 13 as the person attending was known to him personally. He therefore left the Chamber during the consideration of this item.

16. MINUTES OF SUB - COMMITTEES OR WORKING GROUPS

There were no minutes to receive.

17. MINUTES

RESOLVED That the minutes of the meeting held on 24 June 2014 be received as a correct record and signed by the Chairman.

18. 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 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 exemption under Schedule 12A outweighs the public interest in disclosing the information.

**19. APPLICATION FOR PRIVATE HIRE DRIVER LICENCE - WK/000192048
(IDENTITY OF AN INDIVIDUAL / CRIMINAL MATTERS - PARAGRAPHS 2 & 7)**

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

RESOLVED: That Application Number WK/000192048 be deferred for one cycle to allow receipt of DVLA report and Disclosure Barring Service (DBS) report.

**20. APPLICATION FOR PRIVATE HIRE DRIVER LICENCE - WK000190296
(IDENTITY OF AN INDIVIDUAL / CRIMINAL MATTERS)**

Members were asked to consider an Application for a Private Hire Driver Licence Number WK/000190296 having regard to the offences declared on the Statutory Declaration which accompanied the Application Form.

RESOLVED: That Application Number WK/000190296 be deferred for one cycle to allow receipt of DVLA report.

**21. APPLICATION FOR PRIVATE HIRE DRIVER LICENCE - WK/000191416
(IDENTITY OF AN INDIVIDUAL / CRIMINAL MATTERS - PARAGRAPHS 2 & 7)**

Members were asked to consider an Application for a Private Hire Driver Licence Number WK/000191416 having regard to the offences declared on the Statutory Declaration which accompanied the Application Form.

RESOLVED: That Application Number WK/000191416 be deferred for one cycle to allow the Applicant a further opportunity to attend.

**22. APPLICATION FOR PRIVATE HIRE DRIVER LICENCE - WK/000190744
(IDENTITY OF AN INDIVIDUAL / CRIMINAL MATTERS - PARAGRAPHS 2 & 7)**

Members were asked to consider an Application for a Private Hire Driver Licence Number WK/000190744 having regard to the offences declared on the Statutory Declaration which accompanied the Application Form.

RESOLVED: That Application Number WK/000190744 be deferred for one cycle to allow receipt of DVLA report and Disclosure and Barring Service (DBS) report.

**23. PRIVATE HIRE DRIVER PROSECUTION
(IDENTITY OF AN INDIVIDUAL / CRIMINAL MATTERS - PARAGRAPHS 2 & 7)**

Members were asked to consider a Private Hire Driver Licence having regard to an offence declared by the Private Hire Driver.

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

RESOLVED: A. That under the provisions of Section 61(1)b of the Local Government (Miscellaneous Provisions) Act 1976, the Private Hire Driver Licence Number LN/000004295 be revoked on the grounds that the Private Hire Driver is not a fit and proper person to hold such a licence having regard to the nature of the convictions recorded against him.

B. That under the provisions of Section 61(2B) of the Local Government (Miscellaneous Provisions) Act 1976, the revocation of Private Hire Driver Licence Number LN/000004295 shall have immediate effect upon Private Hire Driver receiving formal notification of the decision to revoke in the interest of public safety.

(Note 1: The Chairman varied the order of business so that this item was heard after Item 8 of the Agenda to allow for the Applicants time restraints)

(Note 2: Councillor Devine left the Chamber during the consideration of this item and therefore took no part in the decision making process)

(Note 3: The Officers from Community Services left the meeting as Members considered their decision in this case).

- CHAIRMAN -