

LICENSING AND APPEALS COMMITTEE

HELD:21 JULY 2015

Start: 7.30pm

Finish: 8.50pm

PRESENT: Councillor Devine (Chairman)

Councillors: Dowling Nixon
Kay Patterson
Mee Mrs Stephenson
Ms Melling Wright

Officers: Commercial, Safety and Licensing Manager (Mr P Charlson)
Principal Solicitor (Mrs K Lovelady)
Senior Licensing Officer (Mrs S Jordan)
Member Services Officer (Mrs J Brown)

In attendance: Trainee Solicitor (Ms N Pickford)

14. APOLOGIES

Apologies were received on behalf of Councillor McKay.

15. MEMBERSHIP OF THE COMMITTEE

In accordance with Council Procedure Rule 4, the Committee noted the termination of membership of Councillors Delaney and C Marshall and the appointment of Councillors Dowling and Ms Melling for this meeting only, thereby giving effect to the wishes of the political groups.

16. URGENT BUSINESS

There were no items of urgent business.

17. DECLARATION OF PARTY WHIP

There were no declarations of Party Whip.

18. DECLARATIONS OF INTEREST

There were no declarations of interest.

19. MINUTES OF SUB-COMMITTEES OR WORKING GROUPS

There were no Minutes to receive.

20. MINUTES

RESOLVED: That the Minutes of the meeting held on 2 June 2015 be received as a correct record and signed by the Chairman.

21. PUBLIC REQUEST TO LICENCE A VEHICLE THAT DOES NOT MEET THE AGE CRITERIA WITHIN THE HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE STATEMENT OF LICENCING POLICY 2013

Consideration was given to the report of the Assistant Director Community Services as contained on pages 53 to 57 of the Book of Reports, the purpose of which was to consider a request received from a Private Hire Operator to licence a disabled access Private Hire Vehicle that does not meet the age criteria within the Hackney Carriage and Private Hire Statement of Licensing Policy 2013.

The Senior Licensing Officer outlined the report to Members.

The Private Hire Operator attended the meeting and invited Members of the Committee to inspect the vehicle. He outlined the reasons for his request and responded to questions from Members.

RESOLVED: That an exemption be made to the Hackney Carriage and Private Hire Statement of Licensing Policy 2013 in order to grant the request to licence disabled access Private Hire Vehicle GJ58 LPA

22. 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 outweighs the public interest in disclosing the information.

23. APPLICATION FOR PRIVATE HIRE DRIVER LICENCE - WK/000205359 (IDENTITY OF AN INDIVIDUAL / CRIMINAL MATTERS - PARAGRAPHS 2 & 7)

Members were asked to consider an Application for a Private Hire Driver Licence Number WK/000205359 having regard to the offences declared on the Statutory Declaration Form which accompanied the Application Form.

RESOLVED: That Application Number WK/000205359 be deferred for one cycle to allow receipt of the Disclosure Barring Service (DBS) report.

24. APPLICATION FOR PRIVATE HIRE DRIVER LICENCE - WK/000201773 (IDENTITY OF AN INDIVIDUAL / CRIMINAL MATTERS - PARAGRAPHS 2 & 7)

Members were asked to consider an Application for a Private Hire Driver Licence Number WK/000201773 having regard to the offences declared 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/000201773 be REFUSED.

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

25. DISCRETIONARY RATE RELIEF APPEAL BY BRITISH HEART FOUNDATION (SECTION 47 LGFA ACT 1988 AMENDED BY SECTION 69 LOCALISM ACT 2011). (FINANCIAL / BUSINESS AFFAIRS - PARAGRAPH 3)

Consideration was given to the report of the Transformation Manager as contained on pages 67 to 73 of the Book of Reports, the purpose of which was to present an appeal from a business rate payer against a decision to refuse their application for discretionary hardship rate relief under Section 47 LGFA 1988, amended by Section 69 Localism Act 2011, made in respect of their National Non Domestic Rates liability.

The Exchequer Services Manager outlined details of the appeal and report to Members

Representatives on behalf of the British Heart Foundation attended the meeting and presented their case and further responded to questions and comments raised by Members.

RESOLVED: That the appeal against refusal to grant discretionary hardship rate relief be refused in line with the Councils Working Practice.

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

- CHAIRMAN -