

LICENSING & APPEALS COMMITTEE

HELD: Tuesday, 5 December 2017

Start: 7.30 pm

Finish: 9.25 pm

PRESENT:

Councillor: T Devine (Chairman)

Councillors:	N Delaney	S Currie
	C Evans	D McKay
	J Mee	R Melling
	M Mills	G Owen
	A Owens	K Wright

In attendance:

Officers: Paul Charlson, Commercial, Safety and Licensing Manager
Michaela Murray, Senior Licensing Officer
Kay Lovelady, Principal Solicitor
Julia Brown, Member Services/Civic Support Officer

36 **APOLOGIES**

There were no apologies for absence received.

37 **MEMBERSHIP OF THE COMMITTEE**

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

38 **URGENT BUSINESS**

There were no urgent items of business.

39 **DECLARATION OF PARTY WHIP**

There were no declarations of Party Whip.

40 **DECLARATION OF INTEREST**

Councillor Devine declared a pecuniary interest in relation to Agenda Item 12 – Application for Private Hire Driver Licence WK/000232352 as the Applicant was known to him.

41 **MINUTES OF SUB - COMMITTEES OR WORKING GROUPS**

There were no minutes to receive.

42 MINUTES

RESOLVED: That the Minutes of the meeting held on 10 October 2017 be received as a correct record and signed by the Chairman.

43 APPROVAL OF HACKNEY CARRIAGE AND PRIVATE HIRE POLICY STATEMENT 2018

Consideration was given to the report of the Director of Leisure and Wellbeing as contained on pages 241 to 394 of the Book of Reports which sought Members approval of the Hackney Carriage and Private Hire Policy Statement 2018.

The Commercial, Safety and Licensing Manager outlined the report and responded to comments and questions raised by Members.

RESOLVED: That having regard to the response to the public consultation contained in the report, the Hackney Carriage and Private Hire Licensing Policy Statement 2018 attached at Appendix 2 to this report be approved for use from 1 February 2018 with the addition of an amendment to the text contained in paragraphs 12.30 and 16.30 to clarify the existing requirement for drivers to disclose convictions, formal cautions or other matters during the period of licence.

44 LICENSING FEES AND CHARGES 2018/19

Consideration was given to the report of the Director of Leisure and Wellbeing as contained on pages 395 to 403 of the Book of Reports which was to consider proposed changes in Licensing fees and charges for the period 1 April to 31 March 2019.

The Commercial, Safety and Licensing Manager outlined the report and responded to comments and questions raised by Members.

- RESOLVED: A. That with effect from 1 April 2018, the proposed changes in Hackney Carriage and Private Hire Licensing fees and charges as contained in Table 1 in the report be approved.
- B. That delegated authority is granted to the Director of Leisure and Wellbeing Services to give notice under Section 70 of the Local Government (Miscellaneous Provisions) Act 1976 of the Councils intention to vary the fees and charges for vehicle, driver and operator licences.
- C. That with effect from 1 April 2018, the proposed fees and charges contained in Table 2 in the report be approved.

45 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.

46 APPLICATION FOR PRIVATE HIRE DRIVER LICENCE - WK/000229122

Members were asked to consider an Application for a Private Hire Driver Licence Number WK/000229122 having regard to the content of the Statutory Declaration that accompanied the Application Form and any other relevant information.

RESOLVED: That Private Hire Driver Licence Number WK/000229122 be 'not proceeded with'.

47 APPLICATION FOR PRIVATE HIRE DRIVER LICENCE - WK/000232352

Members were asked to consider an Application for a Private Hire Driver Licence Number WK/000232352 having regard to the content of the Statutory Declaration that accompanied the Application Form and any other relevant information.

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

RESOLVED: That Private Hire Driver Licence Number WK/000232352 be GRANTED.

(Note 1: Councillor Devine declared a pecuniary interest in relation to this item as the Applicant was known to him, and therefore left the Chamber during consideration of this item).

(Note 2: Councillor Delaney took the Chair for this item).

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

48 APPLICATION FOR PRIVATE HIRE DRIVER LICENCE - WK/000234945

Members were asked to consider an Application for a Private Hire Driver Licence Number WK/000234945 having regard to the content of the Statutory Declaration that accompanied the Application Form and any other relevant information.

RESOLVED: That Private Hire Driver Licence Number WK/000234945 be deferred one cycle in order to allow receipt of the DBS report.

49 APPLICATION FOR PRIVATE HIRE DRIVER LICENCE - WK/000235062

Members were asked to consider an Application for a Private Hire Driver Licence Number WK/000235062 having regard to the content of the Statutory Declaration that accompanied the Application Form and any other relevant information.

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

RESOLVED: That Private Hire Driver Licence Number WK/000235062 be REFUSED.

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

50 APPLICATION FOR PRIVATE HIRE DRIVER LICENCE - WK/000234379

Members were asked to consider an Application for a Private Hire Driver Licence Number WK/000234379 having regard to the content of the Statutory Declaration that accompanied the Application Form and any other relevant information.

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

RESOLVED: That Private Hire Driver Licence Number WK/000234379 be GRANTED.

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

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Chairman