

LICENSING & APPEALS COMMITTEE

HELD: Tuesday, 19 July 2016

Start: 7.30 pm

Finish: 8.50 pm

PRESENT:

Councillor: T Devine (Chairman)
N Delaney (Vice-Chair)

Councillors: S Currie C Evans
J Kay D McKay
J Mee M Mills
A Owens K Wilkie
K Wright

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

16 APOLOGIES

There were no apologies for absence received.

17 MEMBERSHIP OF THE COMMITTEE

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

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18 URGENT BUSINESS

There were no urgent items of business.

19 DECLARATION OF INTEREST

Councillor Devine declared a pecuniary interest in relation to Agenda Item 15 –Private Hire Driver – Determination of Existing Licence WK/000217571 as the person was known to him and therefore left the Chamber during consideration of this item.

20 DECLARATION OF PARTY WHIP

There were no declarations of Party Whip.

21 MINUTES OF SUB - COMMITTEES OR WORKING GROUPS

That the Minutes of the Employment Appeals Sub – Committee held 9 June 2016 be noted.

22 MINUTES

RESOLVED: That the Minutes of the meeting held on 7 June 2016 be received as a correct record and signed by the Chairman.

23 HACKNEY CARRIAGE AND PRIVATE HIRE POLICY STATEMENT 2016 - LICENSED VEHICLE AGE REQUIREMENTS

Consideration was given to the report of the Director of Leisure and Wellbeing as contained on pages 55 to 67 of the Book of Reports, the purpose of which was to provide information regarding the current licensed vehicle age requirements contained in the Hackney Carriage and Private Hire Statement of Licensing Policy 2016.

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

RESOLVED: That the licensed vehicle age requirements contained in the Hackney Carriage and Private Hire Statement of Licensing Policy 2016 remain unchanged.

24 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.

25 APPLICATION FOR PRIVATE HIRE DRIVER LICENCE - WK/000215061

Members were asked to consider an Application for a Private Hire Driver Licence Number WK/000215061 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 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/000215061 be GRANTED and that a warning be given reminding him of his responsibility to follow the Council's Hackney Carriage and Private Hire Licensing Policy 2016.

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

26 APPLICATION FOR PRIVATE HIRE DRIVER LICENCE - WK/000216372

Members were asked to consider an Application for a Private Hire Driver Licence Number WK/000216372 having regard to the content of the Statutory Declaration that accompanied the Application Form and any other relevant information.

RESOLVED: That Application Number WK/000216372 be WITHDRAWN by Officers.

27 APPLICATION FOR PRIVATE HIRE DRIVER LICENCE - WK/000214675

Members were asked to consider an Application for a Private Hire Driver Licence Number WK/000214675 having regard to the content of the Statutory Declaration that accompanied the Application Form and any other relevant information.

RESOLVED: That Application Number WK/000214675 be deferred one cycle in order to allow the Applicant a further opportunity to attend.

28 APPLICATION FOR PRIVATE HIRE DRIVER LICENCE - WK/000216090

Members were asked to consider an Application for a Private Hire Driver Licence Number WK/000216090 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 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/000216090 be GRANTED.

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

29 PRIVATE HIRE DRIVER DETERMINATION OF EXISTING LICENCE - WK/000216716

Members were asked to consider a Private Hire Driver Licence Number WK/000216716 having regard to the Police conviction received by the Driver.

The Applicant attended the meeting with his friend and was interviewed by the Committee during which the Driver 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/000216716 be REVOKED.

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

30 PRIVATE HIRE DRIVER DETERMINATION OF EXISTING LICENCE - WK/000217571

Members were asked to consider a Private Hire Driver Licence Number WK/000217571 having regard to the current Police conviction received by the Driver.

The Applicant attended the meeting and was interviewed by the Committee during which the Driver 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/000217571 be REVOKED.

(Note 1: Councillor Devine declared a pecuniary interest in relation to Agenda item 15 – Private Hire Driver – Determination of Existing Licence WK/000217571 as the Private Hire Driver was known to him and therefore left the Chamber during consideration of this item).

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

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

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CHAIRMAN