

## LICENSING & APPEALS COMMITTEE

**HELD: Tuesday, 4 December 2018**

Start: 7.30 p.m.

Finish: 9.10 p.m.

### PRESENT:

Councillor: G Owen (Chairman)  
N Furey (Vice-Chairman)  
G Owen (Chairman)  
N Furey (Vice-Chair)

Councillors: C Dereli A Owens  
C Evans D West  
J Mee Mrs J Witter  
M Mills K Wright

Officers: Commercial, Safety and Licensing Manager – Mr P Charlson  
Principal Solicitor – Mrs K Lovelady  
Senior Licensing Officer – Ms M Murray  
Member Services/Civic Officer – Mrs J A Ryan

### 24 APOLOGIES

Apologies for absence were received on behalf of Councillors N Hennessy and P Hudson.

### 25 MEMBERSHIP OF THE COMMITTEE

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

### 26 URGENT BUSINESS

There were no urgent items of business.

### 27 DECLARATION OF PARTY WHIP

There were no declarations of Party Whip.

### 28 DECLARATION OF INTEREST

1. Councillor G Owen declared a pecuniary interest in respect of Private Hire Driver Application WK/000244951 as the applicant was known to her and therefore left the Chamber during consideration of this item.
2. Councillor D West declared a pecuniary interest in respect of Private Hire Driver Application Number WK/000244951 as the applicant was known to her and therefore left the Chamber during consideration of this item.

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

There were no minutes to receive.

**30 MINUTES**

RESOLVED: That the minutes of the meeting held on 9 October 2018 be received as a correct record and signed by the Chairman subject to noting that Councillor K Wright was in attendance at the previous meeting.

**31 LICENSING FEES AND CHARGES 2019/20**

Consideration was given to the report of the Director of Leisure and Environment as contained on pages 117 to 123 of the Book of Reports which sought Members agreement on the proposed changes in licensing fees and charges for the period 1 April to 31 March 2020.

RESOLVED: (A) That with effect from the 1 April 2019, the proposed changes in Hackney Carriage and Private Hire Licensing Fees and charges contained in Table 1 in the report be approved

(B) That delegated authority be granted to the Director of Leisure and Environment to give notice under Section 70 of the Local Government (Miscellaneous Provisions) Act 1976 of the Council's intention to vary the fees and charges for vehicle, driver and operator licences.

(C) That with effect from the 1 April 2019, the proposed fees and charges contained in Table 2 of the report be approved subject to the words "per annum" being removed in relation to the Animal Welfare Licences as set out on pages 120 and 121 of the Report.

**32 HACKNEY CARRIAGE AND PRIVATE HIRE STATEMENT OF LICENSING POLICY - VEHICLE AGE/EMISSION REQUIREMENTS**

Consideration was given to the report of the Director of Leisure and Environment as contained on pages 127 to 130 of the Book of Reports to consider raised vehicle age and emission policy statements for licensed vehicles within the Hackney Carriage and Private Hire Statement of Licensing Policy.

RESOLVED: (A) That the Hackney Carriage and Private Hire Statement of Licensing Policy be amended as necessary to reflect the content of Section 5.0 of the report.

(B) That the amendments to the Hackney Carriage and Private Hire Statement of Licensing Policy are added to those previously approved for public consultation by the Licensing and Appeals Committee on 9 October 2018.

**33 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.

**34 APPLICATION FOR PRIVATE HIRE DRIVER LICENCE - WK/000246068**

Members were asked to consider an Application for a Private Hire Driver Licence Number WK/000246068 having regard to 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 to appeal to the Magistrates Court if he was aggrieved by the decision.

RESOLVED: That Private Hire Driver Reference Number WK/000246068 be REFUSED.

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

**35 APPLICATION FOR PRIVATE HIRE DRIVER LICENCE - WK/000246362**

Members were asked to consider an Application for Private Hire Driver Licence Reference WK/000246362 having regard to the content of the Statutory Declaration 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 Registration Number WK/000246362 be GRANTED.

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

**36 APPLICATION FOR PRIVATE HIRE OPERATORS LICENCE - WK000246660**

Members were asked to consider an Application for a Private Hire Driver Licence Number WK/000246660 having regard to the content of the Statutory Declaration 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 Operators Licence Reference Number WK/000246660 be GRANTED.

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

37 **APPLICATION FOR A PRIVATE HIRE DRIVER LICENCE - WK000244951**

Members were asked to consider an Application for Private Hire Driver Reference Number WK/000244951 having regard to the content of the Statutory Declaration 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 to the Magistrates Court if he was aggrieved by the decision.

RESOLVED: That Private Hire Driver Reference Number WK/000244951 be REFUSED.

(Notes:

1. Councillor G Owen had declared a pecuniary interest in respect of this application as the applicant was known to her and therefore left the Chamber during consideration of this item.
2. Councillor D West had declared a pecuniary interest in respect of this application as the applicant was known to her and therefore left the Chamber during consideration of this item.
3. Councillor N Furey took the Chair for this item.
4. The Officers from Leisure and Environment Services left the meeting as Members considered their decision in this case).

38 **PRIVATE HIRE DRIVER: DETERMINATION OF EXISTING LICENCE WK/000245728**

Members were asked to consider Private Hire Driver Reference Number WK/000245728 having regard to the failure to comply with the Hackney Carriage and Private Hire Statement of Licensing Policy and relevant legislation.

The Driver had been invited to attend the meeting but had failed to attend.

Due to the seriousness of the issues reported, the Committee agreed to consider the case in his absence.

RESOLVED: That the Private Hire Driver Licence associated with Reference Number WK/000245728 be REVOKED with immediate effect.

**LICENSING & APPEALS COMMITTEE**

**HELD: Tuesday, 4 December 2018**

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

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**- CHAIRMAN -**