

LICENSING COMMITTEE

5 OCTOBER 2011

Present :- Councillor Barrie Cook (Chairman)
Councillors Christopher Garnett
Substitute Member :- Councillor Ann Quarrie
for Councillor Margaret Kimberley

8. Minutes

The minutes of the meeting held on 31 August 2011 were confirmed as a correct record.

9. Hackney Carriage/Private Hire Appeal

In accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public, including the press, from the meeting so that any items containing exempt information (for example confidential personal, financial or legal advice), in Part B of this agenda (printed on yellow paper) can be decided. (Exempt information is defined in Section 100I and Schedule 12A of the Local Government Act 1972).

The Committee considered a report by the Head of Environmental and Protective Services on an appeal against the Protective Service Manager's decision not to grant a hackney carriage/private hire driver's licence because recent convictions placed the applicant outside of the Council's pre-licensing conditions and called into question the applicant's status as a 'fit and proper person'. The Protective Services Manager and the appellant and his representative attended, presented their cases and then withdrew for the Committee to consider the matter and make its determination.

RESOLVED that having regard to the circumstances of the case and the convictions which placed the appellant in breach of the Council's pre-licensing conditions, the Committee determined that the driver was not a 'fit and proper person', under the terms of Sections 51 and 59 of the Local Government (Miscellaneous Provisions) Act 1976, (as augmented by Section 47 of the Road Traffic Act 1991 to hold a hackney carriage/private hire driver's licence and determined to dismiss the appeal.