

LICENSING COMMITTEE
28 MARCH 2012

Present :- Councillor Barrie Cook (Chairman)
Councillors Margaret Kimberley and Michael Lilley

20. Minutes

The minutes of the meeting held on 7 March 2012 were confirmed as a correct record.

The Committee resolved under Section 100A of the Local Government Act 1972 to exclude the public from the meeting for the following items as it involved the likely disclosure of exempt information as defined in paragraph 1 of Schedule 12A to the Local Government Act 1972.

21. Hackney Carriage/ Private Hire Appeal

The Committee considered a report by the Head of Environmental and Protective Services on an appeal against the Licensing and Enforcement Manager's decision not to grant a hackney carriage/private hire driver's licence because a conviction placed the applicant outside of the Council's pre-licensing conditions. The Protective Services Manager and the appellant 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, the appeal be upheld and a one year probationary licence be granted subject to the following condition that:-

If during the period of this probationary licence, the licence holder receives any criminal or motoring convictions or any fixed penalty notices or does not fully comply with the Council's hackney carriage and private hire driver and vehicle licensing conditions, then the licence will be automatically revoked.

22. Hackney Carriage/ Private Hire Driver's Appeal

The Committee considered a report by the Head of Environmental and Protective Services on an appeal against the imposition of penalty points in accordance with the Council's Hackney Carriage/Private Hire Drivers' and Operators' Penalty Point Scheme. The Protective Services Manager and the appellant attended, presented their cases and then withdrew for the Committee to consider the matter and make its determination.

RESOLVED

(i) that the appeal be dismissed and the imposition of the points be upheld.

(ii) In accordance with the Council's Hackney Carriage/Private Hire Drivers' and

Operators' Penalty Points Scheme the appellant's hackney carriage/private hire drivers' licence be automatically suspended for a period of 28 days but this suspension should not take place until the end of the 21 day appeal period.