

**LICENSING COMMITTEE
11 NOVEMBER 2009**

Present :- Councillor Barrie Cook (Chairman)
Councillors John Bouckley, Michael Lilley,
Ann Quarrie and Laura Sykes

13. Minutes

The minutes of the meeting held on 7 October 2009 were confirmed as a correct record.

The Committee/Panel resolved under Section 100A(4) of the Local Government Act 1972 to exclude the public from the meeting for the following item as it involved the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972.

14. Hackney Carriage/Private Hire Appeal A

The Committee considered a report by the Head of Environmental and Protective Services on an appeal against the Licensing Manager's decision not to grant a hackney carriage/private hire vehicle driver's licence because recent motoring convictions placed the applicant outside of the Council's licensing standards and previous convictions although spent, potentially called into question the applicant's 'fit and proper' status. The Licensing Manager and the appellant attended, presented their cases and then the Committee withdrew to consider the matter and make their determination.

RESOLVED that-

(i) the appeal be upheld

(ii) A one year probationary hackney carriage/private hire driver's licence subject to the following condition;

'If during the period of this probationary licence you are convicted of any criminal or motoring offence, receive any Police caution, receive a fixed penalty notice or ticket in relation to a criminal or motoring offence, or do not fully comply with the Council's hackney carriage/private hire driver, vehicle or operator licensing conditions, then this licence will be automatically revoked with an immediate effect'.

The Committee/Panel resolved under Section 100A(4) of the Local Government Act 1972 to exclude the public from the meeting for the following item as it involved the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972.

15. Hackney Carriage/Private Hire Appeal B

The Committee considered a report by the Head of Environmental and Protective Services on whether or not one of the holders of a hackney carriage/private hire drivers licence was still a 'fit and proper' person to continue holding such a licence given their recent conviction. The Licensing Manager and the licence holder attended, presented their cases and then the Committee withdrew to consider the matter and make their determination.

RESOLVED that six penalty points be issued in accordance with the Council's Penalty Point Scheme for hackney carriage/private hire drivers and operators.