

**LICENSING COMMITTEE
12 JANUARY 2011**

Present :- Councillor Barrie Cook (Chairman)
Councillors John Bouckley, Nick Cope, Wyn Foster and
Dave Harris

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.

16. Hackney Carriage/Private Hire Licensing // Appeal A

The Committee considered a report by the Head of Environmental and Protective Services on an appeal against the Licensing Committee's condition not to allow a holder of a hackney carriage/private hire vehicle licence for a wheelchair accessible vehicle to sell their business for a period of 5 years from the date of first issue. The Protective Services Manager and the appellant attended, presented their cases and then withdrew for the Committee to consider the matter and make their determination.

RESOLVED that in view of the exceptional circumstances presented to the Committee, the appellant be granted permission to sell their hackney carriage/private hire vehicle licence for a wheelchair accessible vehicle when the appellant's current insurance expires in October 2011 and subject to the condition that on the sale of their business, the appellant returns their Hackney Carriage/Private Hire Driver's Licence to the Council. The Committee also granted the appellant permission to advertise the business for sale six weeks prior to the appellant's current insurance expiration date in October.

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.

17. Hackney Carriage/Private Hire Licensing // Appeal B

The Committee considered a report by the Head of Environmental and Protective Services on an appeal against the Protective Services Manager's decision to revoke a Hackney Carriage/Private Hire Driver's Licence following the accumulation of points on their DVLA licence, motoring convictions received by the appellant during their probationary licence and their failure to comply with the conditions of the Hackney Carriage/Private Hire Driver's Licence. The Protective Services Manager and the appellant and their representative attended, presented their cases and then the Committee withdrew to consider the matter and make their determination.

RESOLVED that having regard to the evidence presented to the Licensing Committee and the contents of the Committee report, the Committee determined that the appellant was not a 'fit and proper person' to hold a Hackney Carriage/Private Hire Driver's Licence in accordance with Section 51 (1)(a) of the Local Government (Miscellaneous Provisions) Act 1976 and that the appeal be dismissed, the decision of the Protective Services Manager be upheld and the licence be revoked with immediate effect.