

LICENSING COMMITTEE

30 MAY 2012

Present :- Councillor Nick Cope (Chairman)
Councillors Pauline Hazell and Michael Lilley

3. Minutes

The minutes of the meeting held on 17 April 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.

4. Hackney Carriage/Private Hire Appeal

The Committee considered a report by the Head of Environmental and Protective Services concerning a Hackney Carriage/Private Hire driver's appeal against the Licensing and Enforcement Manager's decision to immediately suspend their dual Hackney Carriage/Private Hire Driver's Licence under provision of section 61 (1) (b) Local Government (Miscellaneous Provisions) Act 1976. Acting under delegated authority, the Licensing and Enforcement Manager had taken the decision to suspend the appellant's licence with immediate effect, in the interests of public safety following serious concerns raised by Essex Police about the appellant's suitability to hold such a licence.

The Licensing Committee was asked to consider the appeal by the Hackney Carriage/Private Hire Driver and assess the matter on the basis of the evidence before it, and take into account representations from Essex Police and the appellant, and determine whether it considered the appellant to be a 'fit and proper person' to hold such a licence. The Licensing and Enforcement Manager presented their case followed by Essex Police. The appellant and their supporter then presented their case and then all parties withdrew for the Committee to consider the matter and make its determination.

RESOLVED that, having heard the evidence presented, the Committee determined to dismiss the appeal and uphold the decision of the Licensing and Enforcement Manager to suspend the appellant's Hackney Carriage/Private Hire Driver's Licence pending further investigation by officers of the Licensing Authority. These investigations were to be carried out as quickly as possible and the matter to be brought back before the Licensing Committee for determination.