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Subject to approval at the next Licensing Sub-Committee meeting

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LICENSING SUB-COMMITTEE

7 March 2022 at 9.30 am

Present: Councillors Blanchard-Cooper (Chair), Gregory and Northeast

Apologies: None.

7. ELECTION OF CHAIRMAN

The Sub-Committee

RESOLVED

That Cllr Blanchard-Cooper be Chair of this meeting.

8. DECLARATIONS OF INTEREST

There were no declarations of interest made.

9. EXEMPT INFORMATION

The Sub-Committee passed the following resolution: -

That under Section 100a (4) of the Local Government Act 1972, the public and accredited representatives of newspapers be excluded from the meeting for the following item of business on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act by virtue of the paragraph specified against the item.

10. APPLICATION FOR A HACKNEY CARRIAGE/PRIVATE HIRE DRIVER LICENCE - EXEMPT PARAGRAPH 1 – INFORMATION RELATING TO INDIVIDUALS

Members were asked to consider the matter of an application for a hackney carriage/private hire driver licence from an applicant.

In discussing the matter, the Legal Advisor reminded the Sub-Committee of the Council's Taxi Policy, in particular Section 34 of the Policy which confirms that the licensing authority is required to ensure that an applicant is a 'fit and proper' person to hold such a licence and the factors to be considered where are there any previous convictions, warnings, cautions or charges.

Members were satisfied that the applicant met the fit and proper test, and it was noted that there have been no further offences since 2016.

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The Sub-Committee

RESOLVED

3.2 To grant the licence, subject to a knowledge test and driving assessment being completed to the satisfaction of officers.

11. LICENSING ACT 2003, S51 APPLICATION FOR REVIEW OF A PREMISES LICENCE

The Chair confirmed the live webcast had recommenced for this item and asked all attendees to introduce themselves.

The Licensing Manager acting for the licensing authority as a responsible authority spoke on behalf of all parties to the hearing. It was confirmed that discussions had taken place last week and this morning with the licence holder who had accepted responsibility for the offences and the failings that were uncovered following inspections by authorities over the last few months. He apologises for these failings and is keen to work with authorities to remedy the situation. It has been agreed between all parties this morning that a suggested outcome for members of the Sub-Committee to consider that a proportionate approach would be to suspend the licence for 1 week (7 days) and that the Designated Premises Supervisor (DPS) must be changed within a maximum of 8 weeks. The reason that the DPS is not being suggested for change sooner is because the licence holder would like to replace the previous DPS with an individual who has sat their personal licence course, however they still need to obtain their personal licence. The council are also receptive to the fact that a DBS check may also take an additional few weeks and wish to set things on the right footing moving forward. Members had also been provided with additional information packs for their review, of which, included updated training material and new arrangements that has been put in place by the licence holder.

The Sub-Committee

RESOLVED

That they agree with the licensing authority's proposal to suspend the licence for 7 days and to change the DPS within a timeframe of 8 weeks. Full reasoning will follow within 5 working days, and it will include the right of appeal

(The meeting concluded at 10.37 am)