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Subject to approval at the next Licensing Sub-Committee meeting

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LICENSING SUB-COMMITTEE

23 January 2023 at 9.30 am

Present: Councillors Blanchard-Cooper, Clayden and Kelly

Louise Dewberry, Licensing Officer
Andrew Burrows, Licensing Officer
Daniel Shing, Council Lawyer
Neil Williamson, Environmental Health Team Manager
Andrew Bishop, Committee Services Officer

27. WELCOME

The Chair welcomed all to the meeting and explained that the meeting had been convened to complete the business of the adjourned meeting on 9 January 2023.

28. ELECTION OF CHAIRMAN

Prior to commencement of the meeting, it had been agreed that Councillor Blanchard-Cooper would chair the meeting.

29. DECLARATIONS OF INTEREST

There were no declarations of interest made.

30. ITEMS NOT ON THE AGENDA WHICH THE CHAIRMAN OF THE MEETING IS OF THE OPINION SHOULD BE CONSIDERED AS A MATTER OF URGENCY BY REASON OF SPECIAL CIRCUMSTANCES

The Chair confirmed there were no urgent items.

31. EXEMPT INFORMATION

The recommendation to enter into exempt business was proposed by Councillor Blanchard-Cooper and seconded by Councillor Clayden.

The Sub-Committee

RESOLVED

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 items of business on the grounds that they may 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 items.

Licensing Sub-Committee - 23.01.23

32. OUTSTANDING BUSINESS OF THE ADJOURNED MEETING ON 9 JANUARY 2023 - APPLICATION FOR A HACKNEY CARRIAGE/PRIVATE HIRE DRIVER LICENCE - EXEMPT PARAGRAPH 1 OF PART 1 OF SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972

The Sub-Committee received a report from the Licensing Officer which set out the detail of an application for a hackney carriage/private hire driver licence from an applicant with a previous relevant conviction. This was the first time the applicant had applied for a licence with Arun District Council. Due to the nature of the offence and Council Policy, the application had to be presented to this Sub-Committee for consideration and was duly presented before the Licensing Sub-Committee for their consideration on 15 August 2022. The decision of that Sub-Committee was to allow the application to continue but with a strict warning for 6 months from the date of grant of the licence. It had come to light that at that meeting the applicant had failed to mention further relevant information that could have impacted the decision of the Sub-Committee and therefore the application was returned to the Sub-Committee for consideration.

Following the Council's procedure for Licensing Sub-Committees, detailed representations were heard from the relevant parties in attendance, followed by questions from the Sub-Committee which were responded to by the applicant at the meeting. The applicant apologised for not disclosing the additional information and explained that they did not realise the significance of not disclosing it. The panel then retired to consider its decision.

The meeting was then reconvened and the Chair advised that the Sub-Committee had taken into account all the representations made before them, both written and oral in respect of this matter, and also had due regard to the Statutory Guidance, the Council's own Licensing Policy and licensing objectives. The decision of the Sub-Committee was then delivered to all present.

The Sub-Committee

RESOLVED

To allow the application to continue and grant the licence, subject to a new DBS check with no convictions other than those stated but with a strict warning for a 12-month period from the date of the licence when granted. Officers to reject the application if other convictions are found. Full reasons for departing from the relevant parts of the Taxi Policy were provided.

..... Chair

(The meeting concluded at 10.20 am)