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Subject to approval at the next Licensing Sub-Committee meeting

19

LICENSING SUB-COMMITTEE

20 February 2023 at 9.30 am

Present: Councillors Blanchard-Cooper, Cooper and Hamilton

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

The reviewee was present and not represented.

47. ELECTION OF CHAIRMAN

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

48. DECLARATIONS OF INTEREST

There were no declarations of interest made.

49. 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.

50. EXEMPT INFORMATION

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

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 - 20.02.23

51. REVIEW OF 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 a review of a hackney carriage/private hire driver licence for a driver disqualified from driving for a TT99 offence [the totting up of 12 points in a 3 year period]. Due to Council Policy, the application had to be presented to this 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 reviewee at the meeting. The reviewee apologised and stressed his remorse to the panel, explaining that customers were never onboard at the time of committing the SP30 [exceeding statutory speed limit on a public road] offences. 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 licence to continue after the disqualification date but subject to:

1. A driving assessment undertaken with the Council's agreed test centre and completed to the satisfaction of the officers. This must be carried out not later than seven days after the end of the disqualification period (subject to availability of the examiners). The hackney carriage driver licence shall not be granted until such time as the driving assessment has been received. The fee for the test shall be paid by the driver.
2. No points, for any reason, shall be registered on the DVLA driver licence for a period of 24 months from the end of the disqualification period, except those already known. Officers shall be delegated by the Licensing Sub-Committee to revoke the licence if any are found during the 24 month period.

3. No convictions of any type, including driving convictions shall be found for a period of 24 months from the date the disqualification ends, except those that are already known. Officers shall be delegated by the Licensing Sub-Committee to revoke the licence if any are found during the 24 month period.
4. There shall be no pending motoring convictions, criminal convictions, cautions, warnings, court appearances or other legal actions, within 24 months from the date the disqualification ends. Officers shall be delegated by the Licensing Sub-Committee to revoke the licence if any are found during the 24 month period.

..... Chair

(The meeting concluded at 10.43 am)

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