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Subject to approval at the next Licensing Sub-Committee meeting

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LICENSING SUB-COMMITTEE

20 March 2023 at 9.30 am

Present: Councillors Kelly, Blanchard-Cooper, Hamilton and Kelly

Glenn James, Licensing Officer
Neil Williamson, Environmental Health Team Manager
Daniel Shing, Council Lawyer
Miguel Lincan, Trainee Council Solicitor
Andrew Bishop, Committee Services Officer

The applicant was present and not represented.

56. ELECTION OF CHAIRMAN

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

57. DECLARATIONS OF INTEREST

There were no declarations of interest made.

58. 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.

59. EXEMPT INFORMATION

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

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 - 20.03.23

60. APPLICATION FOR A HACKNEY CARRIAGE/PRIVATE HIRE DRIVER LICENCE - EXEMPT PARAGRAPH 1 OF PART 1 OF SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972

After the Council Lawyer outlined the procedure the hearing would follow, 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 application. It was noted that on the application it stated the applicant was not licensed with another authority, but following a Request for Information under the Data Protection Act 2018 it was confirmed that the applicant had had a licence revoked by Chichester District Council in November 2022 for speeding offences. A typographical error on this information request was identified; the date of conviction should have read 05/12/2021 rather than 05/12/2024 as printed. Due to Council Policy and in light of the nature of the offence and the revocation of the Chichester District driver licence, the application had to be presented to this Sub-Committee for consideration. References in support of the Applicant were circulated to all parties present.

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, stressed his remorse and spoke of the impacts of the revocation on his life and livelihood. 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 public safety as to whether the Applicant was a fit and proper person. The decision of the Sub-Committee was then delivered to all present.

The Sub-Committee

RESOLVED

That the application be refused.

..... Chair

(The meeting concluded at 10.51 am)