

LICENSING SUB-COMMITTEE

28 June 2019 at 9.30 am

Present: Councillors Charles, Kelly and Purchase

Sarah Meeten, Licensing Manager
Glenn James, Licensing Officer
Louise Greene, Legal Services Manager

1. ELECTION OF CHAIRMAN

Councillor Charles was elected as Chairman for the meeting.

2. DECLARATIONS OF INTEREST

There were no declarations of interest made.

3. CHANGE TO THE ORDER OF THE AGENDA

At the request of the Chairman, a change to the order of the agenda was agreed as the applicant for the Street Trading Consent, London Road Precinct, Bognor Regis, was not yet in attendance. This matter would therefore be considered as the last item on the agenda.

4. EXEMPT BUSINESS

The 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.

5. APPLICATION FOR A HACKNEY CARRIAGE/PRIVATE HIRE DRIVER LICENCE [EXEMPT - PARAGRAPH 1 - INFORMATION RELATING TO INDIVIDUALS]

The Subcommittee received a report from the Licensing Officer which set out the detail of a case whereby the applicant for a Hackney Carriage/Private Hire driver licence had previous relevant conviction.

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The applicant was in attendance and explained the circumstances of the offences and, following questions from Members, all parties then left the room to enable the Subcommittee to consider the matter.

In discussing the matter, the Legal Services Manager reminded the Subcommittee of the Council's Taxi Policy, particularly that in general a person should be expected to remain free of conviction for 3 years or at least 3 years from completion of sentence (whichever is longer) before a licence is granted. However, having taken account of all the circumstances surrounding the conviction and the applicant's acknowledgement that he had acted unwisely, together with his employment history, Members were of the view that they would allow someone they cared for to get into a vehicle alone with the applicant, and therefore considered the fit and proper test satisfied. It was therefore felt that the application should be granted with a strict warning for 12 months.

The Subcommittee therefore

RESOLVED

That the licence be granted, subject to the knowledge test, medical and driving assessment being completed to the satisfaction of officers, and with a strict warning for 12 months.

(All parties were then recalled as advised of the decision.)

6. APPLICATION FOR A HACKNEY CARRIAGE/PRIVATE HIRE DRIVER LICENCE [EXEMPT - PARAGRAPH 1 - INFORMATION RELATING TO INDIVIDUALS]

The Subcommittee received a report from the Licensing Officer which set out the detail of a case whereby the applicant for a Hackney Carriage/Private Hire driver licence had previous relevant convictions.

The applicant was in attendance and explained the circumstances of the offences and, following questions from Members, all parties then left the room to enable the Subcommittee to consider the matter.

In discussing the matter, Members took account of the fact that the applicant's misdemeanours had occurred when he was a juvenile and that there had been no criminal offences since.

The Subcommittee therefore

RESOLVED

That the licence be granted, subject to the knowledge test, medical and driving assessment being completed to the satisfaction of officers.

(All parties were then recalled as advised of the decision.)

7. APPLICATION FOR A HACKNEY CARRIAGE/PRIVATE HIRE DRIVER LICENCE [EXEMPT - PARAGRAPH 1 - INFORMATION RELATING TO INDIVIDUALS]

The Subcommittee received a report from the Licensing Officer which set out the detail of a case whereby the applicant for a Hackney Carriage/Private Hire driver licence had previous relevant convictions.

The applicant was in attendance and explained the circumstances of the offences and, following questions from Members, all parties then left the room to enable the Subcommittee to consider the matter.

In discussing the matter, serious concerns were raised by Members that the applicant had not satisfactorily demonstrated that he was a Fit and Proper person to hold a taxi driver licence. They took account of the seriousness of the offences; the cumulative history of offending; and insufficient evidence to convince Members that such behaviour would not recur in the future.

The Subcommittee therefore

RESOLVED

That the application for a hackney carriage/private hire driver licence be refused.

(All parties were then recalled as advised of the decision.)

8. APPLICATION FOR A STREET TRADING CONSENT - LONDON ROAD PRECINCT, BOGNOR REGIS

Prior to consideration of this item, the Licensing Manager advised the meeting that the Council's Street Trading Policy was going to be reviewed in the near future to ensure that street trading would enhance the local amenity.

The Licensing Officer presented this report which set out the detail of an application for a Street Trading Consent in the London Road Precinct, Bognor Regis to sell burgers, tortillas, hot and cold drinks from a mobile trailer on Saturdays and Sundays from 8.00 a.m. to 3.00 p.m.

The applicant was in attendance and gave a presentation and provided photographs to illustrate what he was intending to sell. He emphasised that his offering would concentrate on good quality local produce for families as he felt that was not available in the town at the present time.

The Subcommittee asked the applicant a number of questions to fully understand what his offering would be; the design of his stall; and its siting in the

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precinct. A photograph was circulated at the meeting of the trailer from which the food would be sold and Members were advised by the applicant that he had consciously chosen a smaller trailer so as to take up less space. Members were also informed that the colour could be changed and minor design changes made if Members so wished.

All parties then left the room to enable Members to consider their decision.

In the course of discussion, the Subcommittee was positive with regard to the food offering to be provided by the applicant but had reservations that the trailer did not enhance the townscape. It was felt that the applicant should be encouraged to discuss any future application with officers, all relevant stakeholders and a representative from the Bognor Regis BID (Business Improvement District).

The Subcommittee

RESOLVED

That the application be refused.

(All parties were recalled and advised of the decision.)

(The meeting concluded at 1.25 pm)