

## LICENSING HEARING

Minutes of the meeting held on 11 October 2017 commencing at 10.30 am

Present: Cllrs. Esler, Pett and Raikes

Also present: Applicant  
Democratic Services Officer  
Council's Legal Advisor  
Licensing Officer

1. Appointment of Chairman

Resolved: That Cllr. Raikes be appointed as Chairman of the meeting.

2. Declarations of interest

There were no additional declarations of interest.

3. Hackney Carriage Driver Licence Application for Determination

The Chairman moved and it was

Resolved: That under section 100A (4) of the Local Government Act 1972, the public were excluded from the meeting when considering the report, on the grounds that likely disclosure of exempt information was involved as defined by Schedule 12A, paragraph 1 (information relating to any individual) and paragraph 2 (information which is likely to reveal the identity of an individual).

The Hearing gave consideration to a report by the Chief Officer Environmental & Operational Services giving details of an application for a Hackney Carriage Driver Licence. The application did not currently meet the criteria within the Council's statement of Hackney Carriage and Private Hire Licensing Policy, as detailed within the exempted report. The report requested that the Sub-Committee determine the application.

The Hearing Heard from the applicant who explained the series of events, and advised that he was Licensed to drive taxis in a neighbouring authority. He advised that he had further documentation with him and this was tabled for the sub-committee's consideration.

The applicant responded to questions concerning the information contained within the exempted report and the explanation provided by the applicant.

## Licensing Hearing - 11 October 2017

The Hearing heard further information from the applicant as detailed in the confidential appendix to these minutes.

At 11.05 a.m. the Hearing Members withdrew to consider the issues raised accompanied by the Council's Legal Advisor and the Clerk to the Hearing for the purposes of providing advice only.

At 11.45 a.m. The Hearing Members, Council's Legal Advisory and the Clerk to the Hearing returned to the Council Chamber.

The Chairman advised the Hearing that applicants must satisfy the Council that they were a fit and proper person to hold a licence under the Act. Whilst legislation did not strictly define what is 'fit and proper,' the Council must have regard to aspects such as an applicant's conduct, previous history, honesty and trustworthiness and potential risk to the travelling public. He advised that the sub-committee had had regard to the information contained within the exempted report, the evidence produced and explanation given and given regards to the Council's Statement of Policy. They were satisfied that the applicant did not pose a threat to the safety of the public and noted the date of the last DBS check.

It was therefore

Resolved: That the Hackney Carriage Driver's Licence be granted for 1 year, subject to the return of a further enhanced DBS check with no, additional records.

THE MEETING WAS CONCLUDED AT 11.47 AM

CHAIRMAN