

LICENSING HEARING

Minutes of the meeting held on 11 September 2019 commencing at 10.30 am

Present: Cllrs. Carroll, Layland and Raikes

Also Present Applicant
Applicant's Representative
Democratic Services Officer
Senior Licensing Officer
Senior Solicitor
Cllr. McArthur

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. Determination of Fit and Proper Following Complaint

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 a complaint received regarding the Licensee's conduct as detailed within the exempted report. The Licensee had appealed the decision of the Senior Licensing Officer to the Sub-Committee. The report requested that the Sub-Committee consider the evidence presented and decide whether the behaviour had been in a disorderly, abusive or threatening manner whilst operating as a licenced taxi in clear view of the public.

The Senior Licensing Officer introduced the report and gave background information to the Hearing.

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The Licensee explained the series of events and responded to questions contained within the exempted report. The hearing heard further information from the Licensee's representative.

At 10.57 a.m. the Hearing Members withdrew to consider the issues raised accompanied by the Council's Legal Advisor and Clerk to the Hearing for the purpose of providing advice only.

At 11.24 a.m. the Hearing Members, Council's Legal Advisor and Clerk to the Hearing returned to the Council Chamber.

The Chairman informed the Hearing that the Sub-Committee had had regards to the exempted report and representations made by the Licensee, and the Council's Statement of Hackney Carriage and Private Hire Policy and took a particularly serious view of disorderly, abusive and threatening behaviour, especially in such a public setting. Whilst taking into account the circumstances and the previous decision of the Senior Licensing Officer, it was agreed that the appropriate sanction would instead be for penalty points to be awarded to the licence.

The Chairman moved that four penalty points be added to the Hackney Carriage Drivers Licence.

It was therefore

Resolved: That four penalty points be added to the Hackney Carriage Drivers Licence.

THE MEETING WAS CONCLUDED AT 11.25 AM

CHAIRMAN