

BATH AND NORTH EAST SOMERSET

LICENSING (TAXIS, STREET TRADING AND MISCELLANEOUS) SUB-COMMITTEE

Tuesday, 7th June, 2011

Present:- Councillors Sarah Bevan (Chair), Malcolm Lees and Anthony Clarke (In place of Bryan Chalker)

Also in attendance: Alan Bartlett (Principal Licensing Officer) and Shaine Lewis (Senior Legal Adviser)

1 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer drew attention to the emergency evacuation procedure as set out on the Agenda.

2 APOLOGIES FOR ABSENCE

Councillor Bryan Chalker sent his apologies to the Sub-Committee and was substituted by Councillor Anthony Clarke.

3 DECLARATIONS OF INTEREST

There were none.

4 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR(PERSON)

There was none.

5 MINUTES - TUESDAY 3RD MAY 2011

The Sub-Committee **RESOLVED** that the minutes of the meeting of Tuesday 3rd May 2011 be confirmed as a correct record and signed by the Chair(person).

6 LICENSING PROCEDURE - HACKNEY CARRIAGE (TAXI) AND PRIVATE HIRE DRIVERS

The Sub-Committee **RESOLVED** that the procedure for this part of the meeting be noted.

7 EXCLUSION OF THE PUBLIC

The Sub-Committee **RESOLVED** "that, having been satisfied that the public interest would be better served by not disclosing relevant information, in accordance with the provisions of Section 100(A)(4) of the Local Government Act 1972, the public be

excluded from the meeting for the following items(s) of business because of the likely disclosure of exempt information as defined in paragraphs 1 and 2 of Part 1 of Schedule 12A of the Act, as amended.”

8 APPLICATION FOR A HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE - MR DB

The Sub-Committee considered the report which sought determination of an application by Mr DB for the grant of a Hackney Carriage/Private Hire Driver's Licence.

The applicant Mr DB was present. He confirmed he had received and understood the procedure for the meeting.

The Licensing Officer presented the report and stated that as part of the application process a Criminal Records Bureau check was undertaken which had revealed some previous cautions. He circulated the Criminal Records Bureau check, personal statement and reference in respect of Mr DB. The applicant and the officer withdrew from the meeting while Members took some time to consider these documents.

Mr DB put his case and was questioned and then made a closing statement.

Following an adjournment the Sub-Committee it was

RESOLVED that a hackney carriage/private hire driver's licence in respect of Mr DB be granted subject to the standard terms and conditions.

Reasons for the decision

Members took into account the Human Rights Act 1998, the Local Government (Miscellaneous Provisions) Act 1976, and the Council's Policy.

Members listened carefully to the applicant's representations, took account of a Criminal Record check, his reference and statement. Members noted that he accepted 2 cautions, one for a common assault in 2004 and one for an affray in 2005.

However, Members found Mr DB presented himself well and noted the offences took place whilst he was a relatively young man. Further, that cautions fell outside the Council's policy and since then he had moved on with his life. Members therefore find him a fit and proper person to hold a Hackney Carriage/Private Hire driver's licence.

The meeting ended at 10.30 am

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services