

## **BATH AND NORTH EAST SOMERSET**

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

**Tuesday, 2nd August, 2011**

**Present:-** Councillors Sarah Bevan (Chair), Bryan Chalker and Malcolm Lees

**Also in attendance:** John Dowding and Shaine Lewis (Senior Legal Adviser)

#### **9 EMERGENCY EVACUATION PROCEDURE**

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

#### **10 APOLOGIES FOR ABSENCE**

There were none.

#### **11 DECLARATIONS OF INTEREST**

There were none.

#### **12 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR(PERSON)**

There was none.

#### **13 MINUTES - 7TH JUNE 2011**

The Sub-Committee **RESOLVED** that the minutes of the meeting of Tuesday 7<sup>th</sup> June 2011 be confirmed as a correct record and signed by the Chair(person).

#### **14 LICENSING PROCEDURE - HACKNEY CARRIAGE (TAXI) AND PRIVATE HIRE DRIVERS HEARING**

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

#### **15 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 item(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"

#### **16 APPLICATION FOR HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S**

**LICENCE:- MR E L M**

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

The applicant Mr E L M 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 Romanian Certificate of Criminal Record was sought which revealed some previous convictions. He circulated three documents: a translated Romanian Certificate of Criminal Record; an extract from Romanian penal code and a statement from the applicant. The applicant and the officer withdrew from the meeting while Members took some time to consider these documents.

Mr E L M put his case and was questioned and then made a closing statement.

Following an adjournment, it was

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

Reasons for the decision

Members have determined an application for a combined hackney carriage/private hire vehicle driver's licence. In so doing they took into account the Local Government (Miscellaneous Provisions) Act 1976, the Council's Policy and the Human Rights Act 1998.

Members listened carefully to the applicant's representations, had regard to a Romanian Certificate of Criminal Record and his written statement. Members noted he had been convicted of two offences involving dishonesty one of which was pardoned and the other he was given a suspended prison sentence.

Members found Mr E L M presented himself very well and the offences occurred when he was a lot younger and therefore find his offending behaviour was in the past and he is a fit and proper person to hold a combined hackney carriage/private hire drivers' licence.

The meeting ended at 10:55am

Chair(person) .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**