

BATH AND NORTH EAST SOMERSET COUNCIL

LICENSING SUB-COMMITTEE

Tuesday, 17th March, 2015, 10.00 am

Councillors: Manda Rigby (Chair), Roger Symonds and Anthony Clarke

Officers in attendance: Alan Bartlett (Public Protection Team Leader), John Dowding (Senior Public Protection Officer) and Carrie-Ann Evans (Senior Legal Adviser)

139 EMERGENCY EVACUATION PROCEDURE

The Democratic Services explained the procedure.

140 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were none.

141 DECLARATIONS OF INTEREST

There were none.

142 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was none.

143 MINUTES - NONE TO BE CONSIDERED

144 LICENSING PROCEDURE - HACKNEY CARRIAGE (TAXI) AND PRIVATE HIRE DRIVER APPLICATION

The Chair drew attention to the procedure to be followed for the hearing of the application.

145 EXCLUSION OF THE PUBLIC

RESOLVED that, the Sub-Committee 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 of business, because of the likely disclosure of exempt information as defined by paragraphs 1, 2 and 3 of Part 1 of Schedule 12A of the Act as amended.

146 APPLICATION FOR HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE: MR F V

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

Mr FV was present and confirmed that he had read the procedure for the meeting.

The Senior Public Protection Officer presented the report and stated that as part of the application process a Disclosure and Barring Service check had been undertaken, which had revealed a previous conviction. He circulated the Disclosure and Barring Service certificate and a personal statement from Mr FV. He also circulated a reference for Mr FV. The applicant, the Public Protection Team Leader and the Senior Public Protection Officer withdrew from the meeting while Members took some time to consider these documents.

After the meeting had reconvened, Mr FV put his case and explained the circumstances of the conviction. He said that it had been a very silly mistake, but it had happened ten years ago and he had matured and now had family responsibilities. He explained why he wanted the licence. He was questioned by Members, and then made a closing statement.

Following an adjournment it was

RESOLVED that Mr FV be granted a combined Hackney Carriage/Private Hire Driver's licence subject to the standard terms and conditions.

Reasons

Members have had to determine an application for a combined Hackney Carriage/Private Hire Driver's Licence. In doing so they took account of the Local Government (Miscellaneous Provisions) Act 1976, Human Rights Act 1998, case law and the Council's Policy.

In making a determination Members took account of the applicant's oral representations, his statement, and reference and balanced these against the information provided by the Disclosure and Barring Service.

Members noted that Mr F V's conviction was for a serious motoring offence however the offence took place nearly 10 years ago; it appeared from the nature of the sentence imposed to be at the lower end of the scale of seriousness and seemed to be an isolated incident. Members further noted that the offence fell outside of the 5 year period specified in the Council's Policy.

Members felt the applicant presented himself as a responsible citizen who gave them reason to believe that he had learnt his lesson.

Members found Mr F V to be a fit and proper person.

The meeting ended at Time Not Specified

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services