

BATH AND NORTH EAST SOMERSET

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

Tuesday, 6th September, 2011

Present:- Councillors Malcolm Lees, Douglas Nicol (In place of Sarah Bevan) and Dine Romero (In place of Bryan Chalker)

Also in attendance: John Dowding, Enfys Hughes and Francesca Smith (Senior Legal Adviser)

17 EMERGENCY EVACUATION PROCEDURE

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

18 APOLOGIES FOR ABSENCE

There were apologies from Councillors Sarah Bevan and Bryan Chalker.

19 DECLARATIONS OF INTEREST

There were none.

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

There was none.

21 MINUTES - TUESDAY 2ND AUGUST 2011

RESOLVED that the minutes of the meeting of Tuesday 2nd August 2011 be confirmed as a correct record and signed by the Chair(person).

22 LICENSING PROCEDURE - HACKNEY CARRIAGE (TAXI) AND PRIVATE HIRE DRIVER'S HEARING

RESOLVED that the procedure for this part of the meeting be noted.

23 EXCLUSION OF THE PUBLIC

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 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."

**24 APPLICATION FOR HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE:
MR C B**

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

The applicant Mr CB was present. He confirmed he had read 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 one previous conviction and two cautions. He circulated the Criminal Records Bureau check, personal statement and references in respect of Mr CB. The applicant and the officer withdrew from the meeting while Members took some time to consider these documents.

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

Following an adjournment it was

RESOLVED that a hackney carriage/private hire driver's licence in respect of Mr CB be granted.

Reasons for 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 his Criminal Record check, his statement and references. Members noted that he had accepted two cautions, one for shoplifting in 1995 and one for possession of a Class B drug in 1999. He had also been convicted of a public order offence in 2001. Members took into account the nature and seriousness of the offences.

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

The meeting ended at Time Not Specified

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services