

BATH AND NORTH EAST SOMERSET

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

Tuesday, 5th April, 2011

Present:- Councillors Tim Ball (Chair), Malcolm Lees and Carol Paradise

Also in attendance: John Dowding, Enfys Hughes and Maggie Horrill

90 EMERGENCY EVACUATION PROCEDURE

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

91 APOLOGIES FOR ABSENCE

There were none.

92 DECLARATIONS OF INTEREST

There were none.

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

There was none.

94 MINUTES - TUESDAY 1ST MARCH 2011

RESOLVED that the minutes of the meeting on Tuesday 1st March 2011 be confirmed as a correct record and signed by the Chair(person).

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

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

96 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 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."

97 APPLICATION FOR HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S

LICENCE:- MR M A W

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

The applicant was present with his partner. He confirmed he had seen 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 convictions. He circulated the Criminal Records Bureau check, personal statement and references in respect of Mr MAW. He explained that Mr MAW had been before the Sub-Committee on previous occasions. The applicant and the officer withdrew from the meeting while Members took some time to consider these documents.

Mr MAW put his case and was questioned. His partner was also questioned. Mr MAW then made a closing statement.

Following an adjournment it was

RESOLVED that a hackney carriage/private hire driver’s licence in respect of Mr MAW be refused.

Reasons for decision

Members took into account the Local Government (Miscellaneous Provisions) Act 1976, the Rehabilitation of Offenders (Exemptions) Order 1976, the Council's Policy, case law, Human Rights Act 1998 and balanced the interests of the applicant against the public interest.

Members listened to the applicant’s representations and that of his partner. They took into account his submission that he was no longer drinking alcohol and the change in his family circumstances but were still concerned at the seriousness of his previous offences and felt that it was too soon for them to be satisfied that he should be granted a licence. Members considered that they had not heard anything today that was sufficient to enable them to depart from their previous decision in 2009 and were therefore not satisfied, on this occasion, that Mr MAW was a fit and proper person to hold a combined hackney carriage and private hire driver’s licence at this time, having regard to the duty to protect the public. They therefore refused to grant the licence.

The meeting ended at 11.10 am

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services

