

## **BATH AND NORTH EAST SOMERSET**

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

**Tuesday, 9th April, 2013**

**Present:-** Councillors Sarah Bevan (Chair), Gabriel Batt and Tim Warren

**Also in attendance:** John Dowding (Senior Licensing Officer), Enfys Hughes and Shaine Lewis (Principal Solicitor)

#### **64 EMERGENCY EVACUATION PROCEDURE**

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

#### **65 APOLOGIES FOR ABSENCE**

Councillor Bryan Chalker sent his apologies, Councillor Tim Warren was his substitute.

#### **66 DECLARATIONS OF INTEREST**

There were none.

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

There was none.

#### **68 MINUTES - 5TH MARCH 2013**

**RESOLVED** that the minutes of the meeting held on Tuesday 5th March 2013 be confirmed as a correct record and signed by the Chair(person).

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

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

#### **70 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, 2 and 3 of Part 1 of Schedule 12A of the Act, as amended."

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

**LICENCE:- MR CAS**

The Sub-Committee considered the report which sought determination of an application by Mr CAS for the grant of a combined hackney carriage/private hire driver's licence.

The applicant 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 Disclosure and Barring Service check was undertaken which had revealed two previous convictions. He circulated the Disclosure and Barring Service check, personal statement, references and Curriculum Vitae for Mr CAS. The applicant and officer withdrew from the meeting while Members took some time to consider these documents.

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

Following an adjournment it was

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

Reasons for the decision

Members determined an application by Mr CAS for a combined hackney carriage/private hire driver's licence. In doing so 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 Mr CAS's representations, had regard to his Disclosure and Barring Service check, his written statement, references and other documents he provided. Members noted that the offences disclosed were historic and fell outside the Council's Policy. Moreover they noted that he fully accepted responsibility for his conduct, had regretted his actions and shown considerable remorse. Members therefore felt that his offending behaviour was in the past and, whilst warning him that any future offending would result in him being brought back before the Committee, they found Mr CAS to be a fit and proper person to hold a combined hackney carriage/private hire driver's licence.

The meeting ended at 11.01 am

Chair(person) .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**