

BATH AND NORTH EAST SOMERSET COUNCIL

LICENSING SUB-COMMITTEE

Thursday, 15th March, 2018, 10.00 am

Councillors: Les Kew (Chair), Deirdre Horstmann and Caroline Roberts

Officers in attendance: John Dowding (Senior Public Protection Officer)

95 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer read out the procedure.

96 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were none.

97 DECLARATIONS OF INTEREST

There were none.

98 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was none.

99 MINUTES OF PREVIOUS MEETING

The Minutes of 1st February were approved as a correct record and signed by the Chair.

100 TAXI PROCEDURE

The Chair drew attention to the procedure to be followed for the two taxi hearings.

101 EXCLUSION OF THE PUBLIC

The 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, **RESOLVED** that the public should be excluded from the meeting for agenda items 8 and 9 and that the reporting of those two items be prevented under Section 100A(5A), 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.

102 APPLICATION FOR A COMBINED HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE - MR JJN

Mr JJN confirmed that he understood the procedure to be followed for the hearing.

The Senior Public Protection Officer summarised the report and circulated a DBS statement in respect of Mr JJN and a statement submitted by him. The Sub-Committee adjourned to allow Members time to study these documents.

After the adjournment Mr JJN stated his case and was questioned by Members. He made a closing statement.

Following a further adjournment the Sub-Committee **RESOLVED** that Mr JJN was a fit and proper person to hold a combined Hackney Carriage/Private Hire Driver's Licence and delegated authority to the licensing officer to issue the licence, subject to the applicant completing all necessary steps required by the licensing process.

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.

The applicant stated that he understands his history will justifiably cause some concerns. He said he is very far from the person he was, and added that throughout his life he had struggled with drug and alcohol addiction. He said he regrets his past. As a result of rehabilitation he has started to give back to the community, and has acted in a number of voluntary capacities leading to being awarded volunteer of the year. At present he has paid work mentoring young people. The applicant stated being a licensed driver would provide more stability in terms of earnings and allow him to continue his work with young people.

Members took account of the applicant's oral representations, written statement and balanced these against the information contained in the Disclosure and Barring Service Certificate. Members considered the applicant had made considerable positive changes in his life, for example he had been abstinent since 2012, has reconciled with this family and has been conviction free for 8 years. In the circumstances, therefore, members find him a fit and proper person to hold a combined Hackney Carriage/Private Hire Driver's Licence.

Authority is delegated to the licencing officer to issue the licence subject to the applicant completing all necessary steps required by the licencing process.

103 APPLICATION FOR A COMBINED HACKNEY CARRIAGE/DRIVER'S LICENCE - MR RNIGL

Mr RNIGL confirmed that he understood the procedure to be followed for the hearing.

The Senior Public Protection Officer summarised the report and circulated a DBS certificate in respect of the applicant and a statement submitted by him. The Sub-Committee adjourned to allow Members time to study these documents.

After the adjournment the applicant stated his case and was questioned by Members. He made a closing statement.

After a further adjournment, the Sub-Committee **RESOLVED** that Mr RNIGL was a fit and proper person to hold a combined Hackney Carriage/Private Hire Driver's

Licence and delegated authority to the licensing officer to issue the licence, subject to the applicant completing all remaining stages of the licensing process.

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.

The applicant said the caution arose from a routine police stop and search during which a quantity of cannabis was found in the rear of his vehicle. As it was his vehicle he accepted the caution. The applicant further added that he was young and dumb at the time and that he does not do anything like that now. He said that after leaving school he started a to train at collage as a motor mechanic but unfortunately did not pass all the exams. He said he then commenced employment on the Dyson Estate as an apprentice stonemason although now he works as a driver for a pizza delivery company. The applicant said he has experience of dealing with difficult customers in his current employment and this is a skill that can be transferred to taxi driving.

Members took account of the applicant's oral representations, written statement and balanced these against the information contained in the Disclosure and Barring Service Certificate. Members noted the circumstances of the offence and noted it fell outside the policy. Therefore, the applicant is considered a fit and proper person to hold a combined Hackney Carriage/Private Hire Driver's Licence.

Authority is delegated to the licencing officer to issue the licence subject to the applicant completing all necessary steps required by the licencing process.

The meeting ended at 11.23 am

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services