

BATH AND NORTH EAST SOMERSET

LICENSING SUB-COMMITTEE

Thursday, 8th September, 2022

Present:- Councillors Rob Appleyard (Chair), Steve Hedges and Karen Warrington

Also in attendance: Wayne Campbell (Public Protection Officer (Licensing)) and Rebecca Jones (Deputy Team Leader - Legal Services)

66 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer drew attention to the Emergency Evacuation Procedure.

67 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were none.

68 DECLARATIONS OF INTEREST

There were none.

69 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was none.

70 LICENSING PROCEDURE

The Chair explained the procedure for the meeting and all parties confirmed that they had received and understood it.

71 EXCLUSION OF THE PUBLIC

The members of the Sub-Committee agreed that they were 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.

It was **RESOLVED** that the public be excluded from the meeting for the following items of business and the reporting of the meeting 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.

72 APPLICATION FOR A HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE: 22/00891/TAXI

The Public Protection Officer (Licensing) presented the report to the Sub-Committee. He explained that as part of the standard licencing procedure the Disclosure & Barring Service (DBS) was requested to carry out a check of the Applicant's background.

The results of the DBS check were received in June 2022 and disclosed previous convictions. A copy of the Disclosure and Barring Service Certificate was handed out to the members of the Sub-Committee and the meeting was adjourned so that they could review its content.

When the meeting recommenced the members of the Sub-Committee asked questions of the Applicant regarding the previous convictions and he responded accordingly.

Decision and 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 his convictions were for two incidents in 2015. He had had no prior convictions and no convictions since. The Members noted the Applicant's explanation of the circumstances of the incidents and his current circumstances.

Members took account of the Applicant's oral representations and his written statement, and balanced these against the information contained in the Disclosure and Barring Service Certificate.

Members noted that the Applicant had remained conviction free for seven years, that he had worked as a security guard in Bath for five of those years, including supporting the Police and the City Marshalls and his personal circumstances.

In all the circumstances Members find the Applicant to be a fit and proper person to hold a combined Hackney Carriage / Private Hire Driver's Licence as he has remained conviction free for some time and it is evident from his presentation that he now has the qualities that Members would expect from a combined Hackney Carriage/ Private Hire licensed driver.

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

The meeting ended at 11.42 am

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services