

# **BATH AND NORTH EAST SOMERSET COUNCIL**

## **LICENSING SUB-COMMITTEE**

Tuesday, 14th June, 2016, 10.00 am

**Councillors:** Mark Shelford (Chair), Caroline Roberts and Peter Turner

**Officers in attendance:** John Dowding (Senior Public Protection Officer) and Shaine Lewis (Principal Solicitor and Deputy Monitoring Officer)

### **1 EMERGENCY EVACUATION PROCEDURE**

The Democratic Services Officer read out the procedure.

### **2 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

There were none.

### **3 DECLARATIONS OF INTEREST**

There were none.

### **4 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR**

There was none.

### **5 MINUTES: 3RD MAY 2016**

These were approved as a correct record and signed by the Chair.

### **6 TAXI PROCEDURE**

The Chair drew attention to the procedure to be followed for agenda items 8 and 9.

### **7 EXCLUSION OF THE PUBLIC**

**RESOLVED** that, 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, the public shall be excluded from the meeting for the following two item 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.

### **8 APPLICATION FOR HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE - MR CJD**

The Senior Public Protection Officer reported that Mr C J D had advised that he would not be able to attend today's hearing because he would be absent on a pre-booked holiday.

Decision and Reasons

Members were asked to determine an application for a new Hackney Carriage/Private Hire Vehicle driving licence. The applicant had not attended and had sent his apologies. Members therefore had to decide whether to proceed in absence or defer the matter for the applicant to attend and present his case.

Members **RESOLVED** to defer the matter for the applicant’s attendance on notice that should he fail to attend for the next hearing the matter will be dealt with in his absence.

**9 APPLICATION FOR HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE - MR DSM**

The applicant confirmed that he had received and understood the taxi procedure.

The Senior Public Protection reported that a DBS check on Mr D S M had revealed convictions. He circulated the DBS statement, a statement submitted by the applicant and three references given on his behalf. The hearing was adjourned to allow Members time to study these documents.

After the hearing was reconvened, Mr D S M stated that there was nothing he could add to his written statement. In reply to a question from a Member he stated that his personal circumstances were now stable.

Following a further adjournment the Sub-Committee **RESOLVED** that Mr D S M was a fit and proper person to hold a combined Hackney Carriage/Private Hire Driver’s Licence.

Reasons

Members had to determine an application for a 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.

Accordingly Members had to decide whether the licensee was a fit and proper person to hold a licence taking into account all the circumstances.

Members took account of the applicant’s written statement, references and balanced these against the information disclosed on the DBS certificate.

The applicant relied on the content of his statement and confirmed his personal circumstances were stable. As there had been no more recent offending members found him a fit and proper person and granted the licence accordingly.

The meeting ended at 10.19 am

Chair(person) .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**