

## **BATH AND NORTH EAST SOMERSET COUNCIL**

### **LICENSING SUB-COMMITTEE**

Thursday, 15th August, 2019, 10.00 am

**Councillors:** Manda Rigby (Chair), Michael Evans and Steve Hedges (in place of Sue Craig)

**Officers in attendance:** John Dowding (Senior Public Protection Officer), Shaine Lewis (Team Leader Resources - Legal Team) and Sean O'Neill (Democratic Services Officer)

#### **21 EMERGENCY EVACUATION PROCEDURE**

The Democratic Services Officer advised the meeting of the procedure.

#### **22 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Apologies were received from Cllr Sue Craig, for whom Cllr Steve Hedges substituted.

#### **23 DECLARATIONS OF INTEREST**

There were none.

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

There was none.

#### **25 MINUTES OF PREVIOUS MEETING: 4 JULY 2019**

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

#### **26 TAXI PROCEDURE**

The Chair explained the procedure to be followed for agenda item 28.

#### **27 EXCLUSION OF THE PUBLIC**

#### **28 APPLICATION FOR HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE:- 19/01517/TAXI**

The Applicant confirmed that he understood the procedure to be followed for the hearing.

The Senior Public Protection Officer presented the report and provided Members with a copy of a DBS certificate in respect of the Applicant and a statement submitted by him. The meeting was adjourned to allow Members time to study these documents.

After the meeting had been reconvened, the Applicant stated his case and was questioned by Members. The Applicant made a closing statement.

Following a further adjournment the Sub-Committee **RESOLVED** that the Applicant was a fit and proper person to hold a Combined Hackney Carriage/Private Hire Driver's Licence and delegated authority to the Senior Public Protection Officer to issue the licence, subject to the satisfactory completion of the remaining parts of the licensing process.

Reasons

Members have had to consider an application for a combined Hackney Carriage/Private Hire Driver's licence in light of the content of a Disclosure and Barring Service certificate. In doing so Members took account of the Local Government (Miscellaneous Provisions) Act 1976, Human Rights Act 1998, case law and the Council's Policy.

Members heard the conviction related to an argument which involved some swearing. The Police were in the vicinity on a separate matter and asked the applicant for his name and address. The applicant refused, was arrested, charged with an offence, convicted and fined.

The applicant stated a licence would offer him the flexibility to offer more support to his autistic son and with regard to the incident this arose from an unfortunate set of circumstances. He said he had not been in trouble with the police since, was calm, well measured and would be a good representative for Bath.

Members found the conviction a one off incident falling outside of the Policy. They found him well presented and consider him to be a fit and proper person to hold a combined hackney Carriage/Private Hire Driver's licence. Authority was therefore delegated to the Senior Officer (Licensing) to issue the licence subject to satisfactory completion of the licensing process.

The meeting ended at 10.35 am

Chair(person) .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**