

Licensing Committee

A meeting of Licensing Committee was held on Tuesday, 25th July, 2006.

Present: Cllr Mrs K.F.Nelson (Chairman); Cllr C Coombs, Cllr K Dixon, Cllr E Johnson, Cllr K Leonard, Cllr L Narroway, Cllr R Rix, Cllr F G Salt, Cllr Mrs J Wade, Cllr B Woodhead.

Officers: Mrs T Harrison and J Nertney (LD); Mrs S Forsythe (DNS).

Also in attendance: T.M.B; M.L.T.

Apologies: Cllr Kirton, Cllr Leckonby, Cllr Roberts, Cllr Mrs Trainer and Cllr Woodhouse.

386 Minutes of the meeting held on 13th June 2006.

The minutes of the meeting held on 13th June 2006 were signed by the Chairman as a correct record.

387 Exclusion of the Public

RESOLVED that under Section 100A(4) of the Local Government Act 1972 the public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the Act.

388 Application for Grant of a Hackney Carriage Driving Licence – T.M.B

Consideration was given to a report which detailed an application for the grant of a hackney carriage driver's licence. The application was received from an applicant who had a previous licence revoked by the committee.

Members were advised that Mr T.M.B was previously licensed by the Authority until 12th April 2005, when the committee revoked his license on the grounds that he had held the committee in contempt by failing to attend after been invited on two occasions and because of a complaint about his threatening behaviour which was inappropriate to that expected of a licensed driver.

Mr T.M.B had completed a criminal record bureau check which had been returned as satisfactory and there were no convictions recorded on his DVLA driving licence.

Mr T.M.B had yet to undertake the required D.S.A driving test and medical, due to the expense involved.

The applicant had previously held a license with this Authority for over 15 years. During that period he was spoken to once by officers in April 2001, for a minor breach of licensing conditions.

Mr T.M.B was in attendance at the meeting and was given the opportunity to outline his case.

Members were reminded that under the provision of section 59 (1) of the Local Government (Miscellaneous Provisions) Act 1976, the local authority was instructed not to grant a licence to drive a hackney carriage unless they were

satisfied that the applicant was a 'fit and proper' person.

RESOLVED that Mr T.M.B be granted a Hackney Carriage Licence subject to passing the DSA Taxi Driving Test and submitting a satisfactory medical examination. The issue of the licence was also subject to a strict warning as to his future conduct and close adherence to the driver licence conditions at all times.

389 Application for Grant of a Private Hire Drivers Licence – M.L.T

Consideration was given to a report which detailed an application for a Private Hire Drivers licence from an applicant who had a previous application refused by the Trading Standards & Licensing Manager using delegated powers. The application was refused on the grounds that the applicant had a number of previous convictions which fell within the Councils guidelines for refusal. It was therefore felt appropriate that this further application should be considered by the committee.

Miss M.L.T. had submitted an application on 5th April 2006 to become a Private Hire driver with the Authority.

Members were advised that on receipt of Miss M.L.T's initial application in September 2005, she declared that she had no previous convictions both criminal and motoring. On receipt of her CRB check it showed a number of convictions which had mainly been committed when she was a juvenile. When asked about this in interview she stated that as they were old convictions she did not think she had to declare them.

A further CRB check had been carried out and was available at the meeting. Whilst it showed no additional convictions, the Driving Licence she had produced with her latest application dated April 2006 showed that she had additional motoring convictions in January 2006 for which she was given 3 points and fined £400.00. In addition to this she appeared at the Magistrates Court on 11th July 2006 for failing to produce her driving documents. It was noted that Miss M.L.T had advised that this issue had been complicated by her previous employer who had failed to provide the relevant insurance documents but this would be resolved very soon.

Members were reminded of the provisions of Section 51(1) (a) of the Local Government Miscellaneous Provisions Act 1976, which instructs District Councils not to grant a licence to drive private hire vehicles unless they were satisfied that the applicant was a fit and proper person to hold such a licence.

Miss M.L.T was in attendance at the meeting were given the opportunity to outline their case.

RESOLVED that Miss M.L.T be granted a Private Hire Driver Licence with a written warning as to her future conduct which would remain on her drivers file.