

Licensing Committee

A meeting of Licensing Committee was held on Friday, 23rd November, 2007.

Present: Cllr William Woodhead (Chairman), Cllr Dick Cains, Cllr Miss Tina Large, Cllr Alan Lewis, Mrs Kath Nelson and Cllr Fred Salt.

Officers: S Mills, M Vaines (DNS); P K Bell, J Douglas (LD).

Also in attendance: Mr M F, Mr Z M, A Ross (Hawkins and Ross Solicitors - Representing Mr M F and Mr Z M), Sergeant John Coates.

Apologies: Cllr Lee Narroway and Cllr Roy Rix.

L Declarations of Interest

39/07

There were no interests declared.

L Exclusion of the Public

40/07

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

L Private Hire Operator Licence - T V

41/07

Further to the meeting held on 23rd October 2007, a reconvened meeting was held to consider the item on TV Private Hire Operator Licence. Mr M F and Mr Z M were in attendance with their solicitor Alistair Ross.

Members considered Mr M F's continued fitness to hold a private hire operator licence because Mr M F had not complied with existing conditions and legislation despite a formal warning from the Licensing Committee.

Members had regard to the report and appendices, a copy of which had been provided to Mr M F and Mr Ross prior to the meeting; to the representations made at the meeting by Licensing Officers, Police Sergeant Coates from Cleveland Police, by Mr M F, Mr Z M and Mr Ross; and video evidence recorded by the Councils CCTV system.

In particular Members heard evidence from the Police Sergeant Coates who confirmed that the traffic order in respect of Yarm Lane had been introduced because of public safety concerns due to taxis parking four deep at times and public order problems in this area. Police Sergeant Coates confirmed that it was a matter of public safety because of the large number of people using the hot food takeaways and at times access by emergency vehicles was prevented.

By your Mr M F's own admission he had repeatedly flouted the road traffic order despite being given previous and repeated warnings from both Council Officers and Police Officers in this respect.

Following consideration of the representations by all parties Members expressed their concern at Mr M F's apparent disregard for the road traffic order

by ranking their vehicles in restricted areas such as Yarm Lane and their lack of co-operation in responding to this issue despite the warning given by the Committee when their licensed was renewed in June 2007 and numerous requests by both Licensing Officers and Police Officers.

In the circumstances Members decided that Mr M F's conduct in these matters was sufficient to render him unfit to hold an operators licence under the provisions of 62(1)(b) Local Government (Miscellaneous Provisions) Act 1976.

Members also decided that any new application in respect of a private hire operator's licence which would use these premises shall be referred to the Licensing Committee for determination and shall include a business plan.

RESOLVED that:-

1. Mr M F's Private Hire Operator's Licence be revoked under the provisions of 62(1)(b) Local Government (Miscellaneous Provisions) Act 1976.
2. Any new application in respect of a private hire operator's licence which would use the premises at 8 Yarm Lane shall be referred to the Licensing Committee for determination and shall include a business plan.