

Licensing Committee

A meeting of Licensing Committee was held on Tuesday, 1st July, 2008.

Present: Cllr Bill Woodhead (Chairman); Cllr Jim Beall (Vice Councillor Kirton), Cllr Dick Cains, Cllr Mrs Eileen Craggs, Cllr Ken Dixon, Cllr Miss Tina Large, Cllr Colin Leckonby, Cllr Alan Lewis, Cllr Mrs Ann McCoy, Cllr Mrs Kath Nelson, Cllr Maurice Perry, Cllr Roy Rix and Cllr Fred Salt.

Officers: M Vaines, P Edwards, S Mills (DNS); J Nertney, F Shayler (LD).

Also in attendance: For Item 4 - Street Trading Consent - Mr Mirza (Applicant) and Representative, Mr Pacitto (Objector); For Item 5 - Street Trading Consent - Mr Wilson (Applicant); For Item 6 - Hackney Carriage and Private Hire Driver - Mr A T; For Item 7 - Mr H A A; For Item 8 - Motor Salvage Operator - Mr D W and Mr Woodhouse (Solicitor); For Item 9 - Combined Driver Mr Z G and Mrs G; For Item 10 - Private Hire Driver and Operator Mr M W; For Item 11 - Private Hire Driver - Mr S N A.

Apologies: Cllr Paul Kirton and Cllr Steve Walmsley.

L Declarations of Interest

22/08

There were no interests declared.

L Minutes

23/08

The minutes of the meeting held on 20th May 2008 were signed by the Chairman as a correct record.

L Application For Consent Street Trading - Mr Mirza

24/08

Consideration was given to a report on applications for the grant of two Street Trading Consents in respect of a trader who wished to sell ice cream in Stockton High Street for one day during the Riverside Festival and to which letters of objection had been received.

Applications had been received from Jimmy Mirza of Elliott Terrace, Newcastle-upon-Tyne, for the grant of two Street Trading Consents to permit the sale of ice cream from purpose built vehicles in Stockton High Street and/or Dovecot Street. Copies of the applications were attached to the report.

The applicant wished to trade between the hours of 10.00 am and 12.00 noon on Sunday 3rd August 2008, and had identified preferred trading locations as follows:

Van 1. – either (i) outside 3 Dovecot Street, Stockton-on-Tees; or
(ii) outside 137/138 High Street, Stockton-on-Tees

Van 2. – either (i) outside 128 High Street, Stockton-on-Tees; or
(ii) outside 133 High Street, Stockton-on-Tees

A plan showing these locations was attached to the report.

The Town Centre Manager, the Group Leader (Traffic Management), the Environmental Health Manager and Trading Standards and Licensing Manager had no objections to the applications.

The Enforcement Surveillance Co-ordinator had objected to the applications and a copy of his email was attached to the report.

Ward Councillors and local businesses had been consulted on the applications and one letter of objection had been received from a local trader, M Pacitto, who sold ice cream from his shop at 31 Dovecot Street. A copy of his letter was attached to the report.

A copy of the adopted guidelines in respect of Street Trading Consents was attached for Members information.

The applicant and objectors had been invited to attend the meeting. The applicant, his representative and Mr Pacitto (Objector) were in attendance at the meeting and were given the opportunity to state their case.

RESOLVED that the applications be approved and that the suggested areas for the vehicles be near the Shambles area of the High Street and in the area of 137/138 High Street.

**L
25/08**

Application For Consent Street Trading - Casper & Gambini

Consideration was given to a report on an application for renewal of a street trading consent for a coffee kiosk located in Stockton High Street to which an objection had been received from the councils Enforcement Surveillance Co-ordinator.

The application had been received from Casper and Gambini Ltd of 17 Lockton Crescent, Thornaby for the renewal of a street trading consent for a 3 month period to permit the sale of coffee and food from a semi-permanent structure consisting of a kiosk and a glass terrace unit with seating and umbrellas in Stockton High Street. The kiosk unit is 6m x 2.8m and the terrace 12m x 6m. A copy of the application was attached to the report.

The applicant wished to continue trading daily between the hours of 7.00 am and 9.00 pm, Monday to Saturday and 9.00 am to 6.00 pm on a Sunday and Members were respectfully reminded that the trading location is on the former public toilet site between the Town Hall and the Shambles.

The Chief Planning Officer, Environmental Health Manager, Chief Constable, Senior Engineer (Traffic Management) and the Town Centre Manager had no objections to this application.

The Enforcement Surveillance Co-ordinator objected to this application as the retailer consistently drives onto and parks vehicles on the pavement near the premises despite requests and warnings not to. A copy of his email was attached to the report.

Ward Councillors and local businesses had also been consulted on this application and no objections had been received.

Members were reminded that at the meeting held on 8th April 2008 a similar application relating to this consent was approved for 3 months only, subject to

the applicant being given a written warning as to his future conduct following objections from the Environmental Health Manager in connection with contraventions of the no smoking legislation, and subject to any further application being brought back to the committee for consideration. Minute 3/08 refers.

A copy of the Council's adopted guidelines in respect of street trading consent was attached to the report for Members information.

Members were respectfully reminded that if they were minded to approve the application then it would be for non-market days only as separate permission from the Town Centre Manager, who did support the application, would be required to continue to trade on market days.

Members were advised that there were currently no other street trading consents issued for Stockton High Street.

Members were also advised that under the provisions of Schedule 4 The Local Government (Miscellaneous Provisions) Act 1982 the council may grant a consent if they think fit and may attach such conditions to it as they consider reasonably necessary.

The applicant and objector were in attendance at the meeting and were given the opportunity to state their case.

RESOLVED that the application be approved.

L
26/08 **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 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
27/08 **Combined Driver - Mr AT**

Consideration was given to a report on a licensed hackney carriage and private hire driver who had failed to submit an application to enable his three yearly criminal record check to be carried out and who was suspended.

Mr A T was a licensed hackney carriage and private hire driver. He had held a licence since 2002 and his current licence was due to expire on 31 March 2009.

As part of the process to ensure drivers were still considered to be a fit and proper person to hold their licence they were required to submit to an enhanced criminal record check with the Criminal Records Bureau every 3 years.

Mr A T was written to and advised that his next check was due on 5 February 2008 and requested to complete the appropriate form to enable this check to be carried out. As he failed to complete the application a reminder letter was sent to him on 7 April 2008.

Despite these letters Mr A T failed to return his completed forms and this resulted in his hackney carriage and private hire drivers' licence being suspended by the Trading Standards and Licensing Officer using his delegated powers on 7 May 2008. A copy of the notice of suspension was attached to the report.

To date Mr A T had still not made contact with the Licensing Office or completed his application for a criminal record check.

Members were reminded that under the provisions of Section 61(1)(a) of the Local Government (Miscellaneous Provisions) Act 1976 the Council may suspend or revoke or refuse to renew the licence of a hackney carriage and/or private hire driver on any of the following grounds:-

(a) that he has since the grant of the licence:-

(i) been convicted of an offence involving dishonesty, indecency or violence; or

(ii) been convicted of an offence under or fails to comply with the provisions of the Act of 1847 or of this part of this Act; or

(b) any other reasonable cause

Members were also advised of the revisions to Section 61 introduced under the Road Safety Act 2006 as follows:

(2A) Subject to subsection (2B) of this section, a suspension or revocation of the licence of a driver under this section takes effect at the end of the period of 21 days beginning with the day on which the notice is given to the driver under subsection (2)(a) of this section

(2B) If it appears that the interests of public safety require the suspension or revocation of the licence to have immediate effect, and the notice given to the driver under subsection (2)(a) of this section includes a statement that that is so and an explanation why, the suspension or revocation takes effect when the notice is given to the driver.

Mr A T was in attendance at the meeting and was given the opportunity to state his case. Mr A T reported that he had recently moved house but had not informed the Licensing Unit.

Members decided to allow Mr A T to submit his CRB application and that his hackney carriage and private hire drivers licence would remain suspended pending the return of the disclosure from the CRB.

Mr A T was also reminded of the need to return his driver badges.

Once the CRB disclosure had been received and assuming Mr A T had no convictions the suspension of his licence would be lifted at that time. However should any convictions be disclosed then they would be considered on their merits.

Members hoped Mr A T had learned a valuable lesson from the whole incident

in keeping the Licensing Unit, as the Licensing Authority, informed of changes that might affect his licence and his ability to respond to formal requests from the Licensing Unit and especially changes to his address.

RESOLVED that Mr A T be allowed to submit his CRB application and that his hackney carriage and private hire drivers licence remain suspended pending the return of the disclosure from the CRB.

**L
28/08**

Private Hire Driver's Licence - Mr HAA

Consideration was given to a report on a driver who had had his DVLA licence revoked under the Road Traffic (New Drivers) Act 1995.

Mr H A A was a licensed private hire driver with the authority and had been since 24th September 2007, his licence was due to expire on 30th September 2008.

On 12th May 2008 Mr H A A attended the Licensing Office and informed officers that his DVLA Driving Licence had been revoked under the Road Traffic (New Drivers) Act 1995, as he had accrued six points within the first two years of holding the licence. Mr H A A returned his drivers badges at the same time.

When questioned regarding the offences committed he told the Officer it was a TS20 for failing to comply with double white lines and the second offence was a CD10 for driving without due care and attention.

Members were reminded that under the provisions of Section 61(1)(a) of the Local Government (Miscellaneous Provisions) Act 1976 the Council may suspend or revoke or refuse to renew the licence of a hackney carriage and/or private hire driver on the following grounds: -

(a) that he has since the grant of the Licence: -

(i) Been convicted of an offence involving dishonesty, indecency or Violence; or

(ii) Been convicted of an offence under or fails to comply the provisions of the Act of 1847 or of this part of this Act; or

(b) Any other reasonable cause.

and Section 61(2)

(A) Subject to subsection (2B) of this section, a suspension or revocation of the licence of a driver under this section takes effect at the end of the period of 21 days beginning with the day on which notice is given to the driver under subsection (2)(a) of this section

(B) If it appears in the interests of public safety require the suspension or revocation of the licence to have immediate effect, and the notice given to the driver under subsection (2) (a) of this section includes a statement that that is so and an explanation why, the suspension or revocation takes effect when the notice is given to the driver.

A copy of the adopted guidelines relating to the Relevance of convictions was attached to the report for member's information.

Mr H A A was in attendance at the meeting and was given the opportunity to state his case.

Members felt that Mr H A A's recent motoring convictions for driving without due care and attention and failing to comply with white lines and his subsequent disqualification from driving was in the interests of public safety, sufficient grounds under Section 61(1)(b) of the above mentioned Act to be deemed a reasonable cause for revoking Mr H A A's Private Hire Drivers Licence. Furthermore as Members made a finding that the revocation of Mr H A A's licence was based on the grounds of public safety they felt that under Section 61(2)(B) that the revocation takes immediate effect.

RESOLVED that:-

1. Under the provisions of Section 61(1)(a) of the Local Government (Miscellaneous Provisions) Act 1976 Mr H A A's Private Hire Driver Licence be revoked.
2. As the revocation of Mr H A A's Private Hire Driver's licence was based on the grounds of public safety under Section 61(2)(B) the revocation takes immediate effect.

**L
29/08**

Application For Motor Salvage Operators Licence

Consideration was given to a report on representations from an applicant who had applied for registration as a motor salvage operator and which Members were minded to refuse following an objection from Cleveland Police because the applicant has a history of relevant offences.

The application had been received from Mr D W for registration as a Motor Salvage Operator under the provisions of The Vehicles Crimes Act 2001 and The Motor Salvage Operator Regulations 2002.

At the meeting held on the 20th May 2008 Members resolved that they were minded to refuse this application following objections from the police as the applicant had a history of relevant convictions. A copy of minute L2108, which referred was attached to the report and a copy of the full report that was considered was attached to the report.

Members were advised at that meeting that the legislation required formal notice to be served on the applicant informing him of what the council was proposing and giving him 14 days to inform the council as to whether he wished to be given an opportunity to make representations about this proposal before any final decision.

Notice was served on Mr D W confirming the proposal to refuse his application and he in turn confirmed that he wished to be given the opportunity to make his representations. A copy of his letter was attached to the report.

Members were respectfully advised that under the provisions of Section 5 of the Act –

(6) If the person concerned informs the local authority that he desires to make oral representations, the local authority shall give him an opportunity of appearing before, and being heard by, a person appointed by the local authority.

(7) If the local authority decide to proceed with their proposed refusal or (as the case may be) cancellation, they shall serve a notice on the person concerned informing him of their decision to proceed and of the refusal or cancellation.

(8) A notice under subsection (7) shall also inform the person concerned of-

(a) his right to appeal under section 6 against the refusal or cancellation:

(b) the time within which the appeal may be brought; and

(c) in the case of a cancellation, the date on which the cancellation is to have effect.

Mr D W and his representative Mr Woodhouse of Watson Woodhouse Solicitors were in attendance at the meeting and were given the opportunity to state their case.

Members considered Mr D W's previous relevant convictions as detailed under the Motor Salvage Operators (Specified Offences) Order 2002 and noted that there were two relevant convictions which were of concern to them. It was noted that these offences had been committed some years ago but they were still deemed to be relevant under the legislation.

Members had regard to the representations made by Mr D W's legal representative and by Mr D W and agreed that the application be granted. Members asked Mr D W to note that his application was borderline and they had given strong consideration to refusal. However on this occasion they decided to grant Mr D W registration but Members hoped that Mr D W would repay the Committees faith in him and that Mr D W would operate within the law.

RESOLVED that Mr D W's application for a Motor Salvage Operators Licence be approved.

L
30/08

Combined Driver - Mr ZAG

Consideration was given to a report on a complaint about inappropriate behaviour by a licensed hackney carriage and private hire driver who had been issued a final warning by this committee when it was also recommended that his licence be reviewed after 6 months.

Mr Z A G was a licensed hackney carriage and private hire driver. Mr Z A G had been a licensed driver since August 2006 and his licence was due to expire on

31 August 2008.

Following a complaint made on 4 September 2007, against Mr Z A G, by a member of public, regarding his attitude on 3 October in Thornaby Town Centre Car Park, Mr Z A G was referred to Licensing Committee for a decision on his suitability to remain a licensed hackney carriage and private hire driver.

At the Committee hearing on 27 November 2007, the Committee resolved to issue him with a severe final warning as to his future conduct. The Committee also required Mr Z A G be brought back before them in six months time for his licence to be reviewed. A copy of minute 47/07, which referred was attached to the report.

During the past six months, a complaint had been made against Mr Z A G. The complainant alleged that Mr Z A G spoke inappropriately towards his daughter when she was a passenger in HCV 562. The passenger at this time was a female in her early twenties, who lived alone and has learning difficulties. The female suffers with Asperger syndrome, which is a form of autism.

The complaint was initially made to the Private Hire Operator, Royal Cars Ltd, as the job was booked through them. A statement from the Manager at Royal Cars was attached to the report.

Officers had been unable to interview the passenger in this matter. Due to her learning difficulties, her father did not wish to put his daughter through the process of a Committee Hearing. The father was advised that he could speak on her behalf however he had declined. A copy of his letter was attached to the report.

Mr Z A G was interviewed regarding this allegation when he recalled the fare and admitted to the conversation taking place. However, Mr Z A G alleged that it was the female who initiated the conversation and that it was she who was asking inappropriate questions of him. A transcript of the interview attached to the report.

Members were reminded that under the provisions of Section 61 (1)(a) of the Local Government (Miscellaneous Provisions) Act 1976 the Council may suspend or revoke or refuse to renew the licence of a hackney carriage and/or private hire driver on any of the following grounds: -

(a) that he has since the grant of the Licence: -

(i) been convicted of an offence involving dishonesty, indecency or Violence; or
(ii) been convicted of an offence under or fails to comply the provisions of the Act of 1847 or of this part of this Act; or

(b) any other reasonable cause.

Members were also advised of the revisions to Section 61 introduced under the Road Safety Act 2006 as follows:

(2a) Subject to subsection (2b) of this section, a suspension or revocation of the

licence of a driver under this section takes effect at the end of the period of 21 days beginning with the day on which the notice is given to the driver under subsection (2)(a) of this section

(2b) If it appears that the interests of public safety require the suspension or revocation of the licence to have immediate effect, and the notice given to the driver under subsection (2)(a) of this section includes a statement that that is so and an explanation why, the suspension or revocation takes effect when the notice is given to the driver.

Mr Z A G and his wife were in attendance at the meeting and were given the opportunity to state their case.

Members had regard for the report and attached appendices, copies of which had been given to Mr Z A G prior to the meeting.

Members deliberated over their decision as to whether they were satisfied at this time whether Mr Z A G was still a fit and proper person to hold a licence. Taking into account the fact that the complainant declined to attend the meeting, the Members, whilst they were concerned about the allegations, decided, following legal advice, that this complaint could not be continued. However, it was agreed that Mr Z A G would be issued with an advisory letter.

Mr Z A G admissions during his interview as to how he handled the situation with the female passenger also left a lot to be desired. As a licensed Hackney Carriage and Private Hire Driver Mr Z A G was expected to behave in a professional manner at all times.

Members hoped that Mr Z A G had learnt a valuable lesson from this and to assist with this it was recommended that Mr Z A G encourage female passengers to sit in the rear of the vehicle.

Furthermore, it was requested that if Mr Z A G finds himself in a similar situation again he must report the full circumstances to his employer and the Licensing Unit as soon as possible, including radioing his operator at the time of the incident so that details can be logged.

Members hoped that Mr Z A G had learnt a valuable lesson from this incident.

RESOLVED that Mr Z A G be issued with an advisory letter as to his future conduct.

L
31/08 **Private Hire Operator and Driver - Mr MAW**

Consideration was given to a report on an application for the renewal of a Private Hire Driver licence from a driver who had received a Police caution for Theft. Members also need to determine what action to take, if any in relation to that same Police caution in respect of a Private Hire Operators licence held by the same person.

Further to the meeting of the 20th May 2008 when members agreed to defer this item following a request from Mr M W who had recently returned from

Thailand and had been admitted to hospital. Mr M W's Private Hire Drivers licence had now expired and it was for members to determine his renewal application a copy of which was attached to the report.

Mr M A W was a Licensed Private Hire Operator with the authority and had been since August 2008 and his current licence was due to expire on 30th November 2008. Mr Wathen had also been a licensed private hire driver with the authority since May 2007 and his last licence expired on 31 May 2008.

On the 28th February 2008 Mr M A W attended the Licensing Office and submitted a new vehicle application form and on that form he declared that he had received a Police caution for Theft. Mr M A W was advised at the time to formally notify the Licensing Unit of the caution because the Licensing Unit had not received any formal notification from him previously.

On the 15th March 2008 Mr M A W submitted a formal letter of notification. A copy of the letter was attached to the report.

Mr M A W was interviewed on 28th March 2008 regarding this caution and a copy of the transcript of interview was attached to the report.

Member were reminded that under the provisions of Section 61 (1)(a) of the Local Government (Miscellaneous Provisions) Act 1976 the Council may suspend or revoke or refuse to renew the licence of a hackney carriage and/or private hire driver on any of the following grounds: -

(a) that he has since the grant of the Licence: -

(i) been convicted of an offence involving dishonesty, indecency or Violence; or

(ii) been convicted of an offence under or fails to comply the provisions of the Act of 1847 or of this part of this Act; or

(b) any other reasonable cause.

and Section 61(2)

(A) Subject to subsection (2B) of this section, a suspension or revocation of the licence of a driver under this section takes effect at the end of the period of 21 days beginning with the day on which notice is given to the driver under subsection (2)(a) of this section

(B) If it appears in the interests of public safety require the suspension or revocation of the licence to have immediate effect, and the notice given to the driver under subsection (2) (a) of this section includes a statement that that is so and an explanation why, the suspension or revocation takes effect when the notice is given to the driver.

Members were reminded that under the provisions of Section 62(1) of the Local Government (Miscellaneous Provisions) Act 1976 the Council may suspend or revoke, or (on application therefore under section 55 of this Act) refuse to renew an operator's licence on any of the following grounds:-

- a. any offence under, or non-compliance with, the provisions of this Part of this Act;
 - b. any conduct on the part of the operator which appears to the council to render him unfit to hold an operator's licence;
 - c. any material change since the licence was granted in any of the circumstances of the operator on the basis of which the licence was granted ; or
 - d. any other reasonable cause.
8. A copy of the adopted guidelines relating to the Relevance of convictions was attached to the report for Member's information.

Mr MAW was in attendance with his representative Liz McGowan of Vickers Chisman and Wishlade Solicitors.

Members had regard to the report and appendices; they also listened carefully to what Mr MAW and his representative had to say regarding the incident. Members noted that the offence of theft was a dishonesty offence and Members were entitled to refuse to renew Mr MAW's Private Hire Drivers Licence under section 61 of the above mentioned Act. However, on this occasion Members decided to grant Mr MAW's Private Hire Drivers Licence with a severe warning as to his future conduct and Members advised Mr MAW that they did not take this decision lightly. Members also decided not to take any further formal action against Mr MAW as a Private Hire Operator other than to issue him with a severe warning as to his future conduct.

Members also reminded Mr MAW that under the conditions attached to his Private Hire Drivers Licence that he should within seven days disclose to the Council in writing details of any conviction (including Motoring offences or otherwise) imposed on him during the period of the licence.

RESOLVED that:-

1. Mr MAW's application for a Private Hire Driver be approved.
2. Mr MAW receive a written warning as to his future conduct.
3. No action be taken with regard Mr MAW's Private Operator Licence.

L
32/08

Private Hire Driver Renewal Application - Mr SNA

Consideration was given to a report on an application for the renewal of a Private Hire Driver licence from a driver who had two convictions imposed on him for illegally plying for hire contrary to section 45 of the Town Police Clauses Act 1847.

Further to the meeting of the 20th May 2008 when members agreed to defer this item following a request from Mr S N A, as he had recently returned from holiday and had been unable to obtain legal advice, Mr S N A's Private Hire Drivers licence had expired and it was for Members to determine his renewal

application a copy of which was attached to the report.

Mr S N A was a licensed private hire driver with the authority and had been since 1998 and his current licence expired on 31 May 2008.

Legal proceedings were instituted against Mr S N A in March 2007 following an enforcement operation undertaken by Officers in October 2006 when he agreed to carry under cover officers in his private hire vehicle without being pre-booked.

A second set of legal proceedings were instituted against Mr S N A in August 2007 following a further enforcement operation undertaken by Officers in March 2007 when he again agreed to carry under cover officers in his private hire vehicle without being pre-booked.

Mr S N A pleaded guilty at Teesside Magistrates Court on 28th March 2008 to the two counts of illegally plying for hire contrary to section 45 of the Town Police Clauses Act 1847.

Mr S N A was fined £100 for each offence (£200 in total).

The Licensing Unit's records indicate there had been no complaints made against Mr S N A.

Members were reminded that under the provisions of Section 61(1)(a) of the Local Government (Miscellaneous Provisions) Act 1976 the Council may suspend or revoke or refuse to renew the licence of a hackney carriage and/or private hire driver on the following grounds:-

(a) that he has since the grant of the Licence:-

(i) Been convicted of an offence involving dishonesty, indecency or Violence; or

(ii) Been convicted of an offence under or fails to comply the provisions of the Act of 1847 or of this part of this Act; or

(b) Any other reasonable cause.

and Section 61(2)

(A) Subject to subsection (2B) of this section, a suspension or revocation of the licence of a driver under this section takes effect at the end of the period of 21 days beginning with the day on which notice is given to the driver under subsection (2)(a) of this section

(B) If it appears in the interests of public safety require the suspension or revocation of the licence to have immediate effect, and the notice given to the driver under subsection (2) (a) of this section includes a statement that that is so and an explanation why, the suspension or revocation takes effect when the notice is given to the driver.

A copy of the adopted guidelines relating to the Relevance of convictions was attached to the report for member's information.

Members considered Mr SNA's continued fitness to hold a Private Hire Drivers Licence following his two convictions for illegally plying for hire contrary to section 45 of the Town Police Clauses Act 1847. Members also had to considered a new application which Mr SNA had submitted for a Hackney Carriage Drivers Licence.

Members had regard to the report and appendices including the Relevance of Convictions; they also listened carefully to what Mr SNA had to say with regards to his previous employer T V.

Members noted that Mr SNA's two plying for hire convictions were specific grounds under section 61 of the above mentioned Act to refuse to renew his Private Hire Drivers licence and to refuse his application for a Hackney Carriage Driver's Licence.

Members decided to go outside the guidelines of the Relevance Of Convictions to grant Mr SNA's Combined Hackney Carriage/Private Hire Drivers Licence with a severe warning as to his future conduct and they advised Mr SNA that they did not take this decision lightly. Mr SNA should be in no doubt that if he had not taken proactive steps to obtain a Hackney Carriage licence then Members would have revoked Mr SNA's Private Hire Drivers Licence given that he had two recent convictions for plying for hire.

RESOLVED that:-

1. Mr SNA's Private Hire Driver Renewal Application be approved.
2. Mr SNA be issued with a severe written warning.

L
33/08

Private Hire Driver's Licence - Mr JCH

Members were informed that Mr J C H was in attendance but had then left without informing anyone. Mr J C H's attendance was required so Members could consider the Licensing Officer's report on Mr J C H's suitability to remain a private hire driver with the Authority.

Members were displeased at Mr J C H's non-attendance at the hearing and his failure to inform someone you was leaving, they decided, after giving the matter due deliberation, to defer consideration of the report to allow Mr J C H to be present at a future meeting. They would however like an explanation as to why Mr J C H left without advising anyone. Whilst it was a busy schedule the Licensing Committee sit in a quasi-judicial capacity and like appearing at Court, Mr J C H was expected to wait until his case was called. Should anyone need to leave the meeting for any reason then they should show respect to Members by informing one of the Officers present, who would then relay the information to the Members. This would enable a decision to be made as to whether it would be possible to move the item forward on the agenda list or if not, to defer the matter to a future meeting.

RESOLVED that the item be deferred.

