

MINUTES
OF A MEETING OF THE
TAXI LICENSING SUB COMMITTEE

held on 12 January 2022

Present:

Cllr R N Leach (Chairman)
Cllr D Harlow (Vice-Chair)

Cllr M A Bridgeman Cllr K Howard

Apologies: Councillors J Brown

1. MINUTES

RESOLVED

That the minutes of the Sub-Committee held on 19 July and 22 July 2021 be approved and signed as true and correct records.

2. DECLARATIONS OF INTEREST

There were no Declarations of Interest.

3. URGENT BUSINESS

There were no items of Urgent Business.

4. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED

That the press and public be excluded from the meeting during consideration of minute 5 in view of the nature of the proceedings that, if members of the press and public were present during this item, there would be disclosure to them of exempt information as defined in paragraph 4 of Part 1 of Schedule 12A, to the Local Government Act 1972.

5. REPORT BY OFFICERS

The Sub-Committee received a report which requested that a decision be made as to whether Mr Z was “fit and proper” to hold a Taxi or Private Hire Licence in line with The Local Government (Miscellaneous Provisions) Act 1976, following a recent refusal and subsequent appeal decision of the Magistrates Court. Mr Z attended the meeting.

All parties present had a copy of the Licensing Committee’s agreed procedure to be followed at Taxi Licensing Sub-Committee hearings. The Chairman introduced the Sub-

Committee to those present and explained the procedure and order of speaking that would be followed during the hearing.

The Licensing Authority's representative, Matthew Cobb, outlined the report before the Sub-Committee. He stated that an application for a Private Hire's Licence had been received from Mr Z in July 2021. Due to the previous history of Mr Z, a 'minded to refuse' letter had been sent to him and the matter referred to the Taxi Licensing Sub-Committee for determination.

The Chairman gave Mr Z the opportunity to ask questions of the Licensing Authority's representative. Mr Z asked whether he had been treated fairly during the historical incidents highlighted in the report. Mr Cobb stated that he had been treated fairly and it was noted that the Sub-Committee was only interested in the facts of what had taken place in making its determination and was not judging the character of Mr Z.

There were no questions for Mr Cobb from members of the Sub-Committee.

The Chairman gave Mr Z the opportunity to address the Sub-Committee. Mr Z stated that he had made mistakes when he was younger and that was not a fair reflection of his character these days. He asked for an opportunity to work as a taxi driver in the Borough.

There were no questions for Mr Z from the Licensing Authority's representative.

Sub-Committee members asked for clarification on a couple of incidents highlighted in the report, which were responded to by Mr Z.

The Chairman gave those parties present the opportunity to make closing statements. No closing statements were made.

The Chairman adjourned the hearing for deliberation at 7.30pm, later requesting that the Council's Solicitor, Amanda Francis, join them. The Sub-Committee reconvened at 7.55pm.

The Chairman reported that the Sub-Committee had taken account the written representations before it, the oral statements made at the hearing, section 51 of The Local Government (Miscellaneous Provisions) Act 1976, the Council's Criminal Conviction Policy and the Magistrates Court appeal decision of 13 May 2021. The decision of the Sub-Committee was that Mr Z did not meet the requirements of a 'fit and proper' person to hold a Private Hire licence having considered the previous refusal of 21 October 2019 and the subsequent appeal decision, along with the nature and number of convictions between 2012 and 2019 which would undermine the licensing objective of public safety. Therefore the decision of the Sub-Committee was to refuse the application.

RESOLVED

That the application for a Private Hire Driver's Licence from Mr Z be refused.

The meeting commenced at 7.00 pm
and ended at 7.55 pm

Chairman: _____

Date: _____