

Chairman - Councillor A Nixon

Present (for all or part of the meeting):-

Councillors:

J A Barron

I D Fordham

E L Carter

Officers in attendance:-

J Wallace - Licensing Manager

L Taylor-Grime - Principal Solicitor - Contentious Litigation

K McKinney - Senior Licencing and Enviro-Crime Officer

J Allen - Democratic Services Officer

Also present:

License Applicant - for Minute Number PA3

**PA1 Apologies**

Apologies for absence were received from Councillor P W Jones.

**PA2 Exclusion of Press and Public**

RESOLVED:- that pursuant to Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting whilst the next following item of business be discussed, on the grounds that it includes the disclosure of exempt information of the type specified in Paragraphs 1 and 2 of Part 1 of Schedule 12A to the Act.

*Recording of the meeting was paused at this point.*

**PA3 New Driver Application for a Dual Badge**

Considered the Confidential report of the Licensing Manager (V1 17/10/2024 12:34) regarding this matter.

The License Applicant was present during consideration of the item.

The Licensing Manager outlined the case as set out in the report.

The License Applicant was provided with the opportunity to ask any resulting questions of the Licensing Manager.

The Committee were then afforded the opportunity to ask questions of the Officer.

The License Applicant stated their case.

The Licensing Manager was given the opportunity to ask any resulting questions of the License Applicant.

Members of the Committee subsequently asked a number of questions of the License Applicant.

The Licensing Manager was given the opportunity to sum up her case.

The Licence Applicant was given the opportunity to sum up their case.

The Licensing Manager, Senior Licencing and Enviro-Crime Officer and the License Applicant then withdrew from the meeting whilst the Committee considered the case in private.

At the request of the Chairman all parties were invited to re-join the meeting.

*Recording of the meeting was restarted at this point.*

RESOLVED:- that the Committee has considered all the evidence from the Licensing Manager and the Licence Applicant. Having taken all the information available, we do not find the Licence Applicant is a fit and proper person to hold a licence, under the Council's Taxi Licensing Policy, the Institute of Licensing Guidance on determining the suitability of applicants and licensees in the hackney and private hire trades and the Statutory taxi and private hire vehicle standards were considered together with the provisions of the Local Government (Miscellaneous Provisions) Act 1976.

The Committee cannot be sure that if the Licence Applicant were in the same situation again in relation to the theft and speeding, that he would not repeat his actions.

A full copy of the Decision Notice will be sent out to the Licence Applicant.

**PA4 Exclusion of Press and Public**

RESOLVED:- that pursuant to Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting whilst the next following item of business be discussed, on the grounds that it includes the disclosure of exempt information of the type specified in Paragraphs 1 and 2 of Part 1 of Schedule 12A to the Act.

*Recording of the meeting was paused at this point.*

**PA5 Fit and Proper Person**

Considered the Confidential report of the Licensing Manager (V1 17/10/2024 15:49) regarding this matter.

The Licensed Driver had advised the Committee via his Solicitor that neither he or his solicitor would be present for the hearing.

The Licensing Manager outlined the case as set out in the report.

The Committee were then afforded the opportunity to ask questions of the Officer.

The Licensed Driver was not in attendance. The Principal Solicitor - Contentious Litigation read out the email received on 25 October 2024 from the Licence Holder's solicitor stating that they would not be in attendance.

The Licensing Manager was given the opportunity to sum up her case.

The Licensing Manager and the Senior Licencing and Enviro-Crime Officer then withdrew from the meeting whilst the Committee considered the case in private.

At the request of the Chairman all parties were invited to re-join the meeting.

*Recording of the meeting was restarted at this point.*

RESOLVED:- that the Committee has considered all the evidence from the Licensing Manager and an email from the Legal Representative of the Applicant. Having taken all the information available, the Committee do not find the License Driver is a fit and proper person to hold a licence, under the Council's Taxi Licensing Policy, the Institute of Licensing Guidance on determining the suitability of applicants and licensees in the hackney and private hire trades and the Statutory taxi and private hire vehicle standards were considered together with the provisions of the Local Government (Miscellaneous Provisions) Act 1976.

The Committee cannot be sure that if the Licensed Driver was in a similar position again, there would not be a significant risk of behaviours repeated in which he took advantage of passengers.

CHAIR