
Licensing and Appeals Sub Committee Hearing Panel

Minutes of the meeting held on Monday, 15 July 2019

Present: Councillor Ludford (Chair)

Councillors: Evans and T Judge

LACHP/19/74. Exclusion of the Public

A recommendation was made that the public be excluded during consideration of the following items of business.

Decision

To exclude the public during consideration of the following items which involved consideration of exempt information relating to the financial or business affairs of particular persons, and public interest in maintaining the exemption outweighed the public interest in disclosing the information.

LACHP/19/75. Application for a New Private Hire Driver Licence (SJM)

The Committee considered a report of the Director of Planning, Building Control and Licensing which related to an application for a new Private Hire Licence along with the representations made by the Licensing officer and the applicant. The Committee also took into consideration their Statement of Policy and Guidelines.

The applicant attended the meeting unrepresented.

Decision

To grant the application for a Private Hire Driver Licence with a warning regarding the applicant's future conduct.

LACHP/19/76. Application for a New Private Hire Driver Licence (ZE)

The applicant did not attend but had in advance of the meeting submitted a letter via his solicitor to request the Committee to defer consideration of the application for a New Private Hire Driver Licence to a future date.

Decision

To defer consideration of the application by ZE for a New Private Hire Car Driver Licence, until 16 September 2019.

LACHP/19/77. Application for a New Private Hire Driver Licence (DPB)

The Committee considered a report of the Director of Planning, Building Control and Licensing which related to an application for a New Private Hire Car Driver Licence

along with the representations made by the Licensing officer and the applicant. The Committee also took into consideration their Statement of Policy and Guidelines.

The applicant attended the meeting unrepresented.

Decision

To grant the application for a New Private Hire Driver Licence with a warning regarding the applicant's future conduct.

LACHP/19/78. Application for a Renewal of a Private Hire Driver Licence (YMQ)

The Committee considered a report of the Director of Planning, Building Control and Licensing which related to an application for a Renewal of a Private Hire Driver Licence along with the representations made by the Licensing officer and the applicant. The Committee also took into consideration their Statement of Policy and Guidelines.

The applicant attended the meeting unrepresented.

The Committee noted that the legal burden is on the balance of probabilities and the test is whether the applicant is 'fit and proper' at the time of the incident concerned. The Committee concluded that from the evidence given by the applicant regarding the incident there is clearly a risk of public safety and therefore found the applicant not 'fit and proper' and refused to renew the private hire licence.

Decision

To refuse the application to renew the Private Hire Licence.

LACHP/19/79. Application for a Renewal of a Private Hire Driver Licence (SA)

The Committee considered a report of the Director of Planning, Building Control and Licensing which related to an application for a Renewal of a Private Hire Driver Licence along with the representations made by the Licensing officer and the applicant. The Committee also took into consideration their Statement of Policy and Guidelines.

The applicant attended the meeting unrepresented.

Decision

To agree to grant the renewal of the Private Hire Driver Licence, with a warning regarding the applicant's future conduct.

LACHP/19/80. Application for a Renewal of a Private Hire Driver Licence (MSAK)

The Committee considered a report of the Director of Planning, Building Control and Licensing which related to an application for a Renewal of a Private Hire Driver Licence along with the representations made by the Licensing officer and the applicant. The Committee also took into consideration their Statement of Policy and Guidelines.

The applicant attended the meeting unrepresented.

The Committee considered the offence referred to in the report to be very serious. The Committee noted that the applicant had been a driver for many years however, this was to be balanced against the actions on the incident in question. The applicant was fully aware of their legal obligation. The Committee heard no explanation nor mitigation to make them depart from their 2 year guideline for this offence.

Decision

To refuse to grant the Renewal of the Private Hire Drivers Licence.