

LICENSING BOARD SUB-COMMITTEE
13th December, 2016

Present:-

Morning

Councillor Ellis (in the Chair); Councillors Beaumont, Hague, Sheppard and Williams (for items Q1, Q2, Q3 (1 to 3) and Q4).

Afternoon

Councillor Ellis (in the Chair); Councillors Buckley, Hague, Senior and Wyatt (for items Q3 (4 to 7)).

Also in attendance : Commissioner M. Ney (for items Q1, Q2 and Q3(1)).

Q1. LICENSING BOARD SUB-COMMITTEE - MEETING ARRANGEMENTS

By virtue of a direction made by the Secretaries of State for Communities and Local Government and for Education on 11th February, 2016, all the non-executive functions of the Council relating to licensing, including all related enforcement and regulatory functions, have been exercised by Commissioners appointed by the Secretaries of State. Prior to the commencement of this meeting, it was reported that the Council had just received official notification from the Secretary of State for Communities and Local Government of the return of licensing functions to the Council, effective from 00.01 hours on 13th December, 2016.

Accordingly, the Sub-Committee of the Licensing Board became the appropriate decision making body for the matters on the agenda which, until receipt of the notification from the Secretary of State, had been matters for the Commissioners and which were listed to be heard by Commissioner M. Ney sitting with Members of the Advisory Licensing Board.

In these circumstances, the requirements of Part VA of the Local Government Act 1972 had not been complied with, in that the required five clear days' notice of the meeting had not been given. The Chair of the Licensing Board Sub-Committee considered the special circumstances which had arisen, had regard to Part VA of the Act and was of the opinion that the items on the agenda should be considered at the meeting as a matter of urgency given the need for the applicants to have their individual applications and licences considered and reviewed by the Council in a timely manner.

Q2. EXCLUSION OF THE PRESS AND PUBLIC

Resolved:- That, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in the Police Act 1997 and Paragraphs 3 and 7 of Part I of Schedule 12A to the Local Government Act 1972 (business affairs and prevention of crime).

Q3. APPLICATIONS FOR THE GRANT/RENEWAL/REVIEW OF HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS' LICENCES

The Sub-Committee of the Licensing Board considered a report, presented by the Business Regulation Manager, relating to applications for the grant, renewal and review of hackney carriage / private hire drivers' licences in respect of Messrs. G.M., K.M., Z.A., P.G., M.A., R.A.M. and A.H.F.

Messrs. G.M., K.M., Z.A., P.G., M.A., R.A.M. and A.H.F. all attended the meeting and were interviewed by the Sub-Committee.

Resolved:- (1) That, further to Minute No. 53 of the meeting of the Licensing Board held on 17th February, 2010, the application for the renewal of a hackney carriage/private hire driver's licence in respect of Mr. G.M. be refused.

(2) That the application for the grant of a hackney carriage/private hire driver's licence in respect of Mr. K.M. be refused.

(3) That the hackney carriage/private hire driver's licence in respect of Mr. Z.A. be revoked.

(4) That the application for the renewal of a hackney carriage/private hire driver's licence in respect of Mr. P.G. be approved, the licence be renewed for a period of three years and he be warned as to his future conduct.

(5) That, further to Minute No. 7(1) of the Commissioner's Case Hearing meeting held on 29th April, 2015, the application for the grant of a hackney carriage/private hire driver's licence in respect of Mr. M.A. be refused.

(6) That the application for the grant of a hackney carriage/private hire driver's licence in respect of Mr. R.A.M. be approved and he be granted a licence for three years.

(7) That the application for the renewal of a hackney carriage/private hire driver's licence in respect of Mr. A.H.F. be approved, the licence be renewed for a period of three years and he be warned as to his future conduct.

Q4. APPLICATION FOR THE RENEWAL OF A PRIVATE HIRE VEHICLE LICENCE

The Sub-Committee of the Licensing Board considered an application, presented by the Business Regulation Manager, for the renewal of the private hire vehicle licence in respect of vehicle PHV0451, a minibus adapted for wheelchair access. The applicant's letter included an explanation of the reasons for the late submission of this renewal application.

Resolved:- That the renewal of the private hire vehicle licence in respect of vehicle PHV0451 be approved.