

**LICENSING BOARD
14th May, 2014**

Present:- Councillor Wootton (in the Chair); The Mayor (Councillor Foden); Councillors Andrews, Barron, Beck, Buckley, Dalton, Dodson, Doyle, Falvey, J. Hamilton, N. Hamilton, Havenhand, McNeely, Read, Sangster and Swift.

Apologies for absence were received from Councillors Robinson and P. A. Russell.

Q80. DECLARATIONS OF INTEREST

There were no Declarations of Interest made at this meeting.

Q81. MINUTES OF THE PREVIOUS MEETINGS HELD ON 16TH AND 17TH APRIL 2014

The minutes of the two previous meetings of the Licensing Board held on Wednesday 16th April, 2014 and on Thursday, 17th April, 2014, were considered.

Resolved:- That the minutes of the two previous meetings, as now submitted, be approved as correct records for signature by the Chairman.

Q82. 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).

Q83. DETERMINATION OF LICENSING ISSUES: PROPRIETOR'S REQUEST FOR INDIVIDUAL EXEMPTION TO LICENSED VEHICLE CONDITIONS - DISPLAY OF PLATE/LICENCE SIGNAGE

Further to Minute No. 70 of the meeting of the Licensing Board held on 16th April, 2014, consideration was given to a report presented by the Licensing Manager concerning a request from the owner/proprietor of private hire vehicle "RJ10 JSX Silver Volkswagen T-Sporter" for permission not to display the required licence identification plate on the vehicle. Members noted that permission not to display the identification plate would constitute an exemption to Section 75(3) of the Local Government (Miscellaneous Provisions) Act 1976.

The applicant, Mr. D.S., attended the meeting and was interviewed by the Board. He explained the reasons for his request.

The Licensing Board carefully considered the request as submitted.

Resolved:- (1) That permission be granted to the proprietor's request for Individual Exemption to Licensed Vehicle Conditions, as now submitted, except that the vehicle plate shall always be displayed on the vehicle when non-corporate and non-executive clients and customers are being transported and journeys are being made for those purposes.

(2) That the report concerning a proposed policy for determining similar requests from proprietors be submitted to an early meeting of the Licensing Board (Minute No. 57(2) of the meeting of the Licensing Board held on 12th February, 2014, refers).

Q84. DETERMINATION OF LICENSING ISSUES - HOUSE TO HOUSE COLLECTIONS

Consideration was given to a report, presented by the Licensing Manager, concerning the following application for the grant of a promoter's permit to carry out house-to-house collections:-

Organisation	Area	Date
Rotherham Breast Cancer Support Group	Whole of the Rotherham Borough	1st June, 2014 to 31st December, 2014 (on five days per month)

Resolved:- That the application be approved and a promoter's permit be granted in respect of this organisation.

Q85. APPLICATIONS FOR THE GRANT/RENEWAL/REVIEW OF HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS' LICENCES

The Licensing Board considered a report presented by the Licensing Manager relating to applications for the grant, renewal and review of hackney carriage / private hire drivers' licences in respect of Messrs. K.K., R.A., W.K. and M.M.

Messrs. R.A., W.K. and M.M. all attended the meeting and were interviewed by the Board.

The Licensing Board also discussed the following issues and asked that these matters be the subject of reports for consideration at a future meeting of the Board and by September 2014 at the latest:-

- the use of new tyres, instead of part-worn tyres, on hackney carriages and private hire vehicles and whether an appropriate vehicle licence condition ought to be introduced;
- the possibility and legal position of the operator/employer being held responsible and sanctioned for the condition of the licensed vehicles used by the drivers whom they employ.

Resolved:- (1) That the application for the grant of a hackney carriage/private hire driver's licence in respect of Mr. W.K. be approved and he be granted a licence for three years.

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

(3) That Mr. R.A. be issued with a formal written warning as to his future conduct.

(4) That, further to Minute No. Q57(2) of the meeting of the Licensing Board held on 21st March, 2012, the hackney carriage/private hire driver's licence in respect of Mr. K.K. be revoked.