

HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the LICENSING AND PROTECTION SUB-COMMITTEE held in the Ground Floor Meeting Rooms, Pathfinder House, St Mary's Street, Huntingdon PE29 3TN on Tuesday, 16 November 2021

PRESENT: Councillor L W McGuire – Chairman.

Councillors B S Banks, J R Clarke and Mrs P A Jordan.

1 MINUTES

The Minutes of the meeting of the Sub-Committee held on 10th June 2020 were approved as a correct record and signed by the Chairman.

2 MEMBERS INTERESTS

No declarations were received.

3 EXCLUSION OF PRESS AND PUBLIC

RESOLVED

that the press and public be excluded from the meeting because the business to be transacted contains exempt information relating to individuals and is subject to an obligation of confidentiality.

4 LICENSING AND PROTECTION SUB-COMMITTEE PROCEDURE

The Licensing and Protection Sub-Committee's Procedure was received and noted.

5 CONVICTIONS GUIDANCE

The Council's Guidelines relating to the relevance and treatment of convictions was received and noted.

6 REVIEW OF A HACKNEY CARRIAGE AND PRIVATE HIRE LICENCE

(Ms JT representing the Operator of the Licence Holder attended in a supporting capacity).

(The complainant, supported by a companion were also in attendance).

Consideration was given to a report by the Licensing Enforcement Officer (a copy of which is appended in the Annex to the Minute Book) containing details of the case of Mr MHS. Mr MHS was an existing Hackney Carriage and Private Hire Driver who was the subject of a complaint to the Authority.

Mr MHS confirmed that he had received a copy of the paperwork within the post, but he had not brought this to the meeting. A further copy was provided.

Following the presentation of the report by the Licensing Enforcement Officer and the invitation of questions thereon, the complainant and her companion were invited to enter the meeting.

The Licensing Officer read the complainant's statements to the members of the Sub-Committee. Questions were then invited to the complainant from the Sub-Committee members and the licence holder, which were responded to in the meeting.

Following a brief adjournment, the Licensing Enforcement Officer was invited to finish the presentation of his report and attention was drawn to the policy and legislative provisions associated with the complaint and the matters to be taken into account.

The Sub-Committee then reviewed the transcript of the interview with Mr MHS dated 21/09/21 (in full) on a page by page basis and their questions were answered by the licence holder, his companion, the licensing enforcement officer and the legal advisor.

The licence holder and his companion were then invited to make any final remarks to the Sub-Committee, before they left the meeting to enable the Sub-Committee to make their determination. A letter in support from the Operator was provided to the Sub-Committee at this time. Advice was also provided by the legal advisor at this time on the need for the Sub-Committee to determine the matter on the balance of probability and the 'fit and proper person' test.

The Sub-Committee gave careful consideration to the complaint and the information within the Sub-Committee report together with the verbal and written submissions made by the complainant, Mr MHS and his companion. The Sub-Committee also took into account the District Council's Schedule of Conditions of Licence, the legislative and policy provisions, statutory guidance and advice from the legal representative.

Whereupon and having agreed the reasons for this as outlined in the decision notice, it was

RESOLVED

that the licence be suspended from 8th December 2021 until 7th June 2022.

(The meeting was briefly adjourned from 11.25pm until 11.33pm)

(The complainant and her companion left the meeting part way through the discussion on the Statement of the licence holder).

Chairman