

## HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the LICENSING AND PROTECTION APPLICATIONS SUB-GROUP held in Corporate Training Suite, Eastfield House, 6 Latham Road, Huntingdon, Cambs, PE29 6YE on Thursday, 24 September 2009.

PRESENT: Councillor J M Sadler – Chairman  
Councillors K M Baker, J T Bell and R W J Eaton.

### **18. MINUTES**

The Minutes of the meeting of the Sub Group held on the 18<sup>th</sup> August 2009 were approved as a correct record and signed by the Chairman.

### **19. MEMBERS' INTERESTS**

No declarations were received.

### **20. EXCLUSION OF THE PUBLIC**

RESOLVED

that the 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.

### **21. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING - EXISTING LICENCE HOLDER**

A report was submitted by the Head of Democratic and Central Services (a copy of which is appended in the Annex to the Minute Book) in relation to an existing licensed driver. The driver appeared before the Sub-Group and was invited to explain his failure to notify the Council of a conviction incurred when he was a licensed driver. It was explained that the driver had failed also to reveal an additional forename when making his CRB Disclosure application in September 2006 which resulted in three spent convictions not coming to light.

Having considered the issues involved and having been satisfied by the assurances given the applicant, the Sub-Group

RESOLVED

that no further action be taken in this respect, but the driver be warned that failure to disclose a previous conviction is an offence and that the matter would be recorded on his file.

### **22. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING - NEW APPLICATIONS**

**(a) New Application**

By reference to Appendix B of a report by the Head of Democratic and Central Services (a copy of which is appended in the Annex to the Minute Book), the Sub-group gave consideration to an application for a hackney carriage and private hire driver's licence from an applicant who did not meet the Council's published criteria to hold such a licence.

The applicant did not appear before the Sub-Group to explain the circumstances as to why he should be granted a licence. Having considered the issues involved, the Sub-Group

RESOLVED

that the application be determined in his absence and refused on the grounds that the applicant is not a fit and proper person to hold such a licence owing to the nature of the information contained in his Criminal Records Bureau check which does not meet the Council's criteria for the issue of a hackney carriage and private hire vehicle driver's licence.

**(b) New Application**

The Sub-Group was acquainted with Appendix C of a report by the Head of Democratic and Central Services (a copy of which is appended in the Annex of the Minute Book) containing details of an application for a hackney carriage and private hire driver's licence from a person who did not meet the Council's published criteria to hold such a licence. The applicant appeared before the Sub Group to explain the circumstances as to why he should be granted a licence.

The applicant was invited to speak and was then questioned by Members of the Sub-Group. Having considered the issues involved and the representations made by the applicant, the Sub-Group

RESOLVED

that the application for a hackney carriage and private hire driver's licence be granted.

**(c) New Application**

*(The applicant was accompanied by a friend)*

By reference to Appendix D of a report by the Head of Democratic and Central Services (a copy of which is appended in the Annex to the Minute Book) the Sub-Group gave consideration to an application for a hackney carriage and private hire driver's licence from a person who did not meet the Council's published criteria to hold such a licence.

The applicant was invited to speak and was then questioned by Members of the Sub-Group. Having considered the issues involved and having been satisfied by the assurances given by the applicant, the Sub-Group

RESOLVED

that the application for a hackney carriage and private hire driver's licence be granted but the applicant be issued with a caution regarding the number of offences he has accrued and the potential consequences of receiving further convictions.

**(d) New Application**

By reference to Appendix E of a report by the Head of Democratic and Central Services (a copy of which is appended in the annex to the Minute Book), Members considered an application for a hackney carriage and private hire driver's licence from an applicant who did not meet the Council's published criteria to hold such a licence.

As the individual referred to was not in attendance, it was

RESOLVED

that consideration of the application be deferred.

**(e) New Application**

The Sub-Group was acquainted with Appendix F of a report by the Head of Democratic and Central Services (a copy of which is appended to the Annex of the Minute Book) containing details of an application for a hackney carriage and private hire driver's licence for a person who did not meet the Council's published criteria to hold such a licence. The applicant appeared before the Sub Group to explain the circumstances as to why he considered he should be granted a licence.

Having considered the issues involved and in noting the decision of Peterborough City Council to revoke the applicant's hackney carriage and private hire licence until 4<sup>th</sup> January 2010, the Sub-Group

RESOLVED

that the application be refused on the grounds that the applicant is not a fit and proper person to hold such a licence following his convictions of driving a private hire vehicle whilst having no insurance or private hire drivers licence in the Peterborough City Council area.

**(f) New Application**

*(the applicant was accompanied by his employer)*

The Sub-Group was acquainted with Appendix G of a report by the Head of Democratic and Central Services (a copy of which is appended in the Annex to the Minute Book) containing details of an application for a hackney carriage and private hire driver's licence for a person who did not fit the Council's published criteria to hold such a licence.

The applicant, who was accompanied by his current employer, was invited to speak and was then questioned by Members of the Sub

Group. Having considered the issues involved and in noting that Peterborough City Council had revoked his private hire licence until June 2011, the Sub-Group

**RESOLVED**

that the application be refused on the grounds that the applicant is not a fit and proper person to hold such a licence owing to the nature of the information contained in his Criminal Records Bureau check.

Chairman