

HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the LICENSING AND PROTECTION APPLICATIONS SUB-GROUP held in Ground Floor Meeting Room 1a, Pathfinder House, St Mary's Street, Huntingdon, PE29 3TN on Tuesday, 7 June 2011.

PRESENT: Councillor K J Churchill, I J Curtis, J W Davies and G J Harlock

1. ELECTION OF CHAIRMAN

RESOLVED

that Councillor K J Churchill be elected Chairman of the Sub-Group.

Councillor K J Churchill in the Chair

2. MINUTES

The Minutes of the meeting of the Sub-Group held on 29th March 2011 were received.

3. MEMBERS' INTERESTS

Councillor K J Churchill declared a personal interest by virtue of his position as a Cambridgeshire Magistrate. Councillor J W Davies declared a personal interest by virtue of his position as Ward Member for the area in which one of the applicants resides.

4. APPOINTMENT OF VICE-CHAIRMAN

RESOLVED

that Councillor J W Davies be appointed Vice-Chairman of the Sub-Group.

5. EXCLUSION OF THE PUBLIC

RESOLVED

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

6. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING

(a) New Application

(The applicant was accompanied by his Solicitor)

The Sub-Group was acquainted with Appendix B of a report by the Head of Legal and Democratic 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 from a person who did not meet the Council's established criteria to hold such a licence. The applicant appeared before the Sub-Group accompanied by his solicitor and gave an explanation of the circumstances relating to his current conviction and the previous refusal of a licence by the Sub-Group. Following questions raised by the Sub-Group, the applicant left the meeting. Having considered the issues involved and the nature of the applicant's current employment status which required him to be trustworthy and responsible, the Sub-Group

RESOLVED

- (a) that the application for a hackney carriage and private hire driver's licence be approved.

(b) New Application

(The applicant was accompanied by a friend)

The Sub-Group was acquainted with Appendix C of a report by the Head of Legal and Democratic Services (a copy of which is appended in the Annex to the Minute Book) containing details of an application for hackney carriage and private hire driver's licence from a person who did not meet the Council's established criteria to hold such a licence owing to the information contained within his Criminal Records Bureau report. The applicant appeared before the Sub-Group to explain the circumstances as to why he felt he should be granted a licence. Having considered the issues involved and the representations made by the applicant the applicant left the meeting and the Sub-Group

RESOLVED

that the application for a hackney carriage and private hire driver's licence be refused on the grounds that the applicant is not a fit and proper person to hold a licence owing to the fact that his recent conviction is not yet spent under the Rehabilitation of Offenders Act 1974.

Having been made aware of the Sub-Group's decision, the applicant was advised of his right of appeal to the Magistrate's Court and the opportunity to re-apply for a licence at a future date.

(c) New Application

(The applicant was accompanied by his employer)

The Sub-Group was acquainted with Appendix E of a report by the Head of Legal and Democratic 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 from a person who did not meet the Council's established criteria to hold such a licence. The applicant appeared before the Sub-Group and gave an explanation of the circumstances relating to his current convictions. Following questions raised by the Sub-Group, the applicant left the meeting. Having considered the issues involved, the Sub-Group

RESOLVED

that the application for a hackney carriage and private hire driver's licence be refused on the grounds that the applicant is not a fit and proper person to hold a licence owing to the fact that he had failed to declare the convictions contained in his Criminal Records Bureau report in his application and had also been in breach of the conditions that had been applied to a conviction.

7. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING - EXISTING LICENCE HOLDER

The Sub-Group was acquainted with Appendix D of a report by the Head of Legal and Democratic Services (a copy of which is appended in the Annex to the Minute Book) in relation to an existing hackney carriage and private hire driver's licence. The driver appeared before the Sub-Group and he was invited to explain his reason for failing to notify the Council of a conviction in accordance with the conditions of his hackney carriage and private hire driver's licence. Following questions raised by the Sub-Group, the driver left the meeting.

Having considered the issues involved, the Sub Group

RESOLVED

that no further action be taken with regard to the hackney carriage and private hire driver's licence held by the individual, however the driver was cautioned and reminded of his requirement to notify the Council of any relevant convictions in the future.

Chairman