

## HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the LICENSING AND PROTECTION SUB-COMMITTEE held in Meeting Room 0.1A, Ground Floor, Pathfinder House, St Mary's Street, Huntingdon PE29 3TN on Wednesday, 14 December 2016.

PRESENT: Councillor R Fuller – Chairman.

Councillors S J Criswell, Mrs S A Giles and R J West.

### **43. MINUTES**

The Minutes of the meeting of the Sub-Committee held on 1st November 2016 were approved as a correct record and signed by the Chairman.

### **44. MEMBERS INTERESTS**

No declarations were received.

### **45. 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.

### **46. LICENSING AND PROTECTION SUB-COMMITTEE PROCEDURE**

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

### **47. CONVICTIONS GUIDANCE**

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

### **48. NEW APPLICATION FOR A HACKNEY CARRIAGE AND PRIVATE HIRE LICENCE**

With the assistance of a report by the Head of Community (a copy of which is appended in the annex to the Minute Book), the Sub-Committee considered an application from Mr BM who did not meet the Council's guidance to hold such a licence owing to a previous conviction and two cautions. The Applicant had previously been licensed by Huntingdonshire District Council but had returned his badge following his conviction in 2012.

A copy of the results of the applicant's DBS check was provided to Members of the Sub-Committee. The options which were available to

the Sub-Committee were (i) to allow the application to proceed or (ii) refuse the application.

The applicant was then given the opportunity to address the Sub-Committee and in doing so he provided three character references in support of his application. Members were also advised that Mr BM was currently in the process of applying for a licence with Peterborough City Council. Following a number of questions from Sub-Committee Members, Mr BM then left the meeting to enable the Sub-Committee to make their determination.

Following careful consideration of the application, the information within the committee report and the submissions made by the applicant, the Sub-Committee also took in to account the Council's guidelines relating to the relevance and treatment of convictions and the legislative and policy provisions. Whereupon, it was

#### RESOLVED

that the application be refused because the applicant is not a fit and proper person owing to two cautions for the possession of controlled drugs which are inconsistent with paragraph 47 of the Council's Convictions guidance which states that an application will normally be refused where an applicant has more than one conviction related to the possession of drugs and has not been free of conviction or other matter for at least 5 years. The Sub-Committee had not heard anything that would make it depart from these guidelines on this occasion.

The applicant was advised of his right of appeal to the Magistrates Court within 21 days.

Chairman