

HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the LICENSING AND PROTECTION SUB-COMMITTEE held in Civic Suite 0.1A, Pathfinder House, St Mary's Street, Huntingdon PE29 3TN on Thursday, 11 May 2017.

PRESENT: Councillor S J Criswell - Chairman.

Councillors J W Davies, Mrs S A Giles and R J West.

7. MINUTES

The Minutes of the meetings of the Sub-Committee held on 20th March 2017 were approved as correct records and signed by the Chairman.

8. MEMBERS INTERESTS

No declarations were received.

9. 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.

10. LICENSING AND PROTECTION SUB-COMMITTEE PROCEDURE

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

11. CONVICTIONS GUIDANCE

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

12. NEW APPLICATION FOR A HACKNEY CARRIAGE AND PRIVATE HIRE LICENCE

(The Applicant was accompanied by Mr AA, who wished to offer his support).

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 AB who did not meet the Council's guidelines to hold such a licence owing to a previous caution.

A copy of the applicant's enhanced DBS check was provided to Members of the Sub-Committee, together with two character references submitted on the his behalf. The options which were available to the Sub-Committee were (i) to allow the application to

proceed or (ii) to refuse the application.

The applicant was then given the opportunity to address the Sub-Committee and asked to respond to questions from Members of the Sub-Committee concerning the information within the DBS report and his application. Mr AB and Mr AA 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 DBS check together with the submissions made by the applicant and on his behalf, the Sub-Committee also took into account the Council's guidelines relating to the relevance and treatment of convictions and the legislative and policy provisions.

In reaching a decision on this matter the Sub-Committee were of the view that whilst the nature of the offence was serious, Members did not consider that the circumstances warranted a refusal on this occasion. Whereupon, it was

RESOLVED

that the application be allowed to proceed.

13. NEW APPLICATION FOR A HACKNEY CARRIAGE AND PRIVATE HIRE LICENCE

(The Applicant was accompanied by Mr AA a friend and local Councillor who wished to offer his support and spoke on the Applicant's behalf).

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 MH who did not meet the Council's guidelines to hold such a licence owing to a previous conviction. In addition, the applicant had previously had a licence revoked by Peterborough City Council.

A copy of the applicant's enhanced DBS check was provided to Members of the Sub-Committee, together with four character references submitted on his behalf and a copy of the committee report submitted to Peterborough City Council's Licensing committee when his previous licence was revoked. The options which were available to the Sub-Committee were (i) to allow the application to proceed or (ii) to refuse the application.

The applicant was then given the opportunity to address the Sub-Committee and asked to respond to questions from Members of the Sub-Committee concerning the information within the DBS report, his application and the circumstances surrounding the revocation of his previous licence in 2009. Mr MH and Mr AA 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 DBS check together with the submissions made by the applicant and on his behalf, the Sub-Committee also took into account the Council's guidelines relating to the relevance and treatment of convictions and the legislative and policy provisions.

In reaching a decision on this matter despite the seriousness of the offence Members were mindful of the passage of time since the conviction and the remorse expressed by the applicant. Whereupon, it was

RESOLVED

that the application be allowed to proceed.

14. NEW APPLICATION FOR A HACKNEY CARRIAGE AND PRIVATE HIRE LICENCE

(The Applicant was accompanied by Mr WS a family member and prospective employer).

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 NM who did not meet the Council's guidelines to hold such a licence owing to previous motoring offences which he failed to declare on his application.

A copy of the applicant's DVLA portal check was provided to Members of the Sub-Committee, together with three character references submitted on his behalf. The options which were available to the Sub-Committee were (i) to allow the application to proceed or (ii) to refuse the application.

The applicant was then given the opportunity to address the Sub-Committee and in doing so provided further information concerning the circumstances surrounding his motoring offences and his reasons for failing to declare them on his application. The Sub-Committee noted that the applicant had been convicted on two separate occasions for the same offence, which had not been made known to the Licensing Authority. Following a number of questions from Members, Mr NM and Mr WS 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 DBS check together with the submissions made by the applicant and on his behalf, the Sub-Committee also took into account the Council's guidelines relating to the relevance and treatment of convictions and the legislative and policy provisions.

In reaching a decision on this matter despite the gravity of the offences of driving without insurance, Members accepted that on one of the occasions he genuinely believed that he was covered by his employers insurance. Whereupon, it was

RESOLVED

that the application be allowed to proceed.

