

## HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the LICENSING AND PROTECTION SUB-COMMITTEE held in Civic Suite 0.1A, Pathfinder House, Huntingdon PE29 3TN on Tuesday, 21 November 2017.

PRESENT: Councillor S J Criswell – Chairman.(Items 56 – 62 inclusive).

Councillors J W Davies (in the Chair for Item 63), Mrs S A Giles and R J West.

### **56. MINUTES**

The Minutes of the meeting of the Sub-Committee held on 16th October 2017 were approved as a correct record and signed by the Chairman.

### **57. MEMBERS INTERESTS**

No declarations were received.

### **58. 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.

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

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

### **60. CONVICTIONS GUIDANCE**

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

### **61. REVIEW OF AN EXISTING JOINT HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS LICENCE**

Consideration was given to a report by the Head of Community (a copy of which is appended in the Annex to The Minute Book) containing details of the case of Mr AT. Mr AT was an existing Hackney Carriage and Private Hire Driver who was the subject of a complaint referred to the Authority by colleagues from Cambridgeshire Constabulary regarding his conduct towards a passenger within his vehicle.

The Chairman then invited the complainant to address the Sub-Committee to outline the details of the complaint and respond to

questions from Members.

The driver was then given the opportunity to address the Sub-Committee. Following a number of questions from Sub-Committee Members, Mr AT confirmed his version of the conversation with the witness and apologised for any misunderstanding then left the meeting to enable the Sub-Committee to make their determination.

The Sub-Committee gave careful consideration to the complaint and the information within the Sub-Committee report together with the submissions made by the witness and applicant. The Sub-Committee also took into account the District Council's Schedule of Conditions of licence and the legislative and policy provisions. Whereupon, it was

**RESOLVED**

that the licence be revoked because the driver is not a fit and proper person to continue to be licensed by the Authority owing to the nature of the complaint made by the witness, whom the Sub-Committee felt on balance the evidence was more credible than that of the driver.

Mr AT was advised of his right of appeal to the Magistrates Court within 21 days.

**62. 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 JC who had previous criminal convictions and two current motoring convictions. Furthermore his application contained discrepancies with the disclosures revealed in his Disclosure and Barring Service (DBS) check.

A copy of the applicant's DBS certificate and DVLA portal check was provided to the Sub-Committee and Members were advised of the options which were available to them, to either allow the application to proceed or to refuse the application.

The applicant was then given the opportunity to address the Sub-Committee. Following a number of questions from the Sub-Committee, Mr JC outlined the circumstances of his motoring convictions and then left the meeting to enable the Sub-Committee to make their determination.

The Sub-Committee gave careful consideration to the application, the information within the Sub-Committee report and the DBS and DVLA portal check, together with the submission made by the applicant. The Sub-Committee also took into account the Council's guidelines relating to the relevance and treatment of convictions, the District Council's Schedule of Conditions of licence and the legislative and policy provisions. Whereupon, it was

**RESOLVED**

that the application be allowed to proceed.

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

*At 11.24am Councillor S J Criswell left the meeting and did not return.*

**Councillor J W Davies in the Chair.**

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 ZSB who had two motoring convictions. Furthermore his application contained discrepancies with the disclosures revealed in his Disclosure and Barring Service (DBS) check.

A copy of the applicant's DBS certificate and DVLA portal check was provided to the Sub-Committee and Members were advised of the options which were available to them, to either allow the application to proceed or to refuse the application.

The applicant was then given the opportunity to address the Sub-Committee. Following a number of questions from the Sub-Committee, Mr ZSB outlined the circumstances of the motoring convictions and then left the meeting to enable the Sub-Committee to make their determination.

The Sub-Committee gave careful consideration to the application, the information within the Sub-Committee report and the DBS and DVLA portal check together with the submission made by the applicant. The Sub-Committee also took into account the Council's guidelines relating to the relevance and treatment of convictions, the District Council's Schedule of Conditions of licence and the legislative and policy provisions. Whereupon, it was

**RESOLVED**

that the application be allowed to proceed.

Chairman