

## HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the LICENSING AND PROTECTION SUB-COMMITTEE held in the MANAGING DIRECTOR'S MEETING ROOM, PATHFINDER HOUSE, ST MARY'S STREET, HUNTINGDON PE29 3TN on Wednesday, 25 April 2018.

PRESENT: Councillors J W Davies, Mrs S A Giles,  
J M Palmer and R J West

### **130. ELECTION OF CHAIRMAN**

In accordance with the Licensing and Protection Sub Committee procedure, it was

RESOLVED

that Councillor J W Davies be elected as Chairman of the Sub-Committee for the meeting.

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

### **131. MINUTES**

The Minutes of the meeting of the Sub-Committee held on 4 April 2018 were approved as a correct record and signed by the Chairman.

### **132. MEMBERS INTERESTS**

No declarations were received.

### **133. 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.

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

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

### **135. CONVICTIONS GUIDANCE**

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

**136. 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 for a Hackney Carriage and Private Hire Licence from Mr UA who has undeclared motoring convictions.

Copy of the applicant's checks undertaken by the Driving and Vehicle Licensing Agency (DVLA) were provided to the Sub-Committee and Members were advised of the options available to them in respect of the application.

Mr UA was then permitted to address the Sub-Committee and in doing so took the opportunity to explain why he had failed to declare his previous convictions together with the reasons why he considered he should be granted a licence. Following a number of questions from the Sub-Committee concerning the circumstances surrounding his motoring convictions he then left the meeting to enable Members to make their determination.

The Sub-Committee gave careful consideration to the application, the information within the committee report, the contents of the DVLA check together with the submission made by the applicant. The Sub-Committee also took into account the District Council's guidelines relating to the relevance and treatment of convictions, the District Council's Schedule of Conditions of Licence, the legislative and policy provisions and advice from the District Council's legal representative. Whereupon and having agreed to give the applicant the benefit of the doubt on this occasion due to a lack of further information, it was

**RESOLVED**

that the application for a Hackney Carriage and Private Hire Drivers Licence be granted.

In concluding the deliberations on this matter, the Chairman reminded Mr UA of the requirements within the District Council's Schedule of Conditions of Licence and the importance of providing a safe and secure taxi service.

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

*(The applicant was accompanied by his legal representative, Mr KK who addressed the sub-committee 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 for a Hackney Carriage and Private Hire Licence from Mr QM who has an undeclared caution and motoring conviction.

Copy of the applicant's checks undertaken by the Disclosure and Barring Service (DBS) and the Driving and Vehicle Licensing Agency (DVLA) were provided to the Sub-Committee and Members were

advised of the options available to them in respect of the application.

The Applicant's legal representative was then permitted to address the Sub-Committee and in doing provided a detailed explanation as to the circumstances surrounding the applicant's previous offences, the reasons why the Sub-Committee should consider granting Mr QM's application for a licence and why the applicant had failed to declare his previous offences upon the application form. The Sub-Committee were also provided with copies of two references which had been prepared on the applicant's behalf. Following a number of questions from the Sub-Committee he then left the meeting to enable Members to make their determination.

The Sub-Committee gave careful consideration to the application, the information within the committee report, the contents of the DBS and DVLA checks together with the submission made on the applicant's behalf. The Sub-Committee also took into account the District 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 and having agreed to give the applicant the benefit of the doubt due to the ambiguity of the insurance details, it was

RESOLVED

that the application for a Hackney Carriage and Private Hire Driver's Licence be granted.

In concluding the deliberations on this matter, the Chairman reminded Mr QM of the requirements within the District Council's Schedule of Conditions of Licence.

**138. 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 for a Hackney Carriage and Private Hire Licence from Mr AP who has an undeclared motoring conviction.

A copy of the applicant's check undertaken by the Driving and Vehicle Licensing Agency (DVLA) was provided to the Sub-Committee and Members were advised of the options available to them in respect of the application.

Mr AP was then permitted to address the Sub-Committee and in doing so took the opportunity to explain why he had failed to declare his previous offence, together with the circumstances surrounding the matter. Following a number of questions from the Sub-Committee he then left the meeting to enable Members to make their determination.

The Sub-Committee gave careful consideration to the application, the information within the committee report, the contents of the DVLA check together with the submission made by the applicant. The Sub-Committee also took into account the District 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 and advice from the District Council's Legal representative. Whereupon and having accepted the applicant's explanation on this occasion, it was

RESOLVED

that the application for a Hackney Carriage and Private Hire Drivers Licence be granted.

In concluding the deliberations on this matter, the Chairman reminded Mr AP of the requirements within the District Council's Schedule of Conditions of Licence.

**139. 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 for a Hackney Carriage and Private Hire Licence from Mr ML who has previous motoring offences.

As the applicant was not in attendance, the Sub-Committee

RESOLVED

that consideration of this application for a Hackney Carriage and Private Hire Drivers Licence be deferred to permit a further opportunity for the applicant to attend.

Chairman