

HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the LICENSING AND PROTECTION SUB-COMMITTEE held in Managing Director's Meeting Room, 2nd Floor, Pathfinder House, Huntingdon PE29 3TN on Wednesday, 12 September 2018.

PRESENT: Councillor S J Criswell – Chairman.

Councillors J R Clarke, L W McGuire and Mrs P E Shrapnel.

27. MINUTES

The Minutes of the meeting held on 25th July 2018 were approved as a correct record and signed by the Chairman.

28. MEMBERS INTERESTS

No declarations were received.

29. 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.

30. LICENSING AND PROTECTION SUB-COMMITTEE PROCEDURE

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

31. CONVICTIONS GUIDANCE

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

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

(The applicant was accompanied by Mr NR in his role as a previous 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 for a Hackney Carriage and Private Hire Licence from Mr MI who had declared two motoring convictions on his application. He had also had a licence previously refused by the Authority in January 2018.

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. Clarification was also provided from the Licensing Officer with regards to the expiry of / relevance of the convictions and the previous reasons for refusal.

The applicant and his representative were there permitted to address the Sub-Committee and in doing so took the opportunity to explain the circumstances surrounding his previous convictions. Following a number of questions from the Sub-Committee concerning the most recent offence and the reasons why he considered he should be granted a licence following his refusal 8 months previously, 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 and on his 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, the legislative and policy provisions, statutory guidance and advice from their legal representative.

Whereupon owing to the significant period of time which had passed and the fact that whilst the last conviction was within twelve months of his application that period had now expired, it was

RESOLVED

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

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

(The applicant was accompanied by Mr AA, his prospective future 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 for a Hackney Carriage and Private Hire Licence from Mr MD R M K who had declared a previous caution on his application.

A copy of the applicant's check undertaken by the Disclosure and Barring Service (DBS) was provided to the Sub-Committee and Members were advised of the options available to them in respect of the application.

Mr MD R M K was then permitted to address the Sub-Committee and in so doing provided further details of the circumstances surrounding his caution and acknowledged his mistake. 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 Sub-Committee report, the contents of the DBS check together with the submission made by the applicant and on his 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, the legislative and policy provisions, statutory guidance and advice from the District Council's legal representative.

Having acknowledged that the applicant had accept his guilt and the caution at the outset and having accepted his assurance that he had learnt from his experience, it was

RESOLVED

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

Chairman