

MINUTES OF A MEETING OF THE
LICENSING SUB-COMMITTEE HELD IN
THE COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON FRIDAY 14 FEBRUARY
2014, AT 10.00 AM

PRESENT: Councillor Michael McMullen (Chairman)
Councillors E Buckmaster and J Taylor

OFFICERS IN ATTENDANCE:

Lorraine Blackburn	- Democratic Services Officer
George Robertson	- Legal Services Manager
Oliver Rawlings	- Senior Specialist Licensing Officer

43 APPOINTMENT OF CHAIRMAN

It was proposed by Councillor J Taylor and seconded by Councillor E Buckmaster that Councillor M McMullen be appointed Chairman of the Licensing Sub-Committee for the meeting.

RESOLVED – that Councillor M McMullen be appointed Chairman of the Licensing Sub-Committee for the meeting.

44 MINUTES – 6 JANUARY 2014

RESOLVED – that the Minutes of the meeting held on 6 January 2014 be confirmed as a correct record and signed by the Chairman.

45 EXCLUSION OF PRESS AND PUBLIC

The Sub-Committee passed a resolution pursuant to

Section 100(A)(4) of the Local Government Act 1972 as amended, to exclude the press and public during consideration of the business referred to in Minute 46 on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the said Act.

46 **CONSIDERATION OF WHETHER THE HOLDER OF A DUAL DRIVERS' LICENCE REMAINS A "FIT AND PROPER" PERSON**

The Chairman outlined the procedure to be followed. All those present were introduced.

The Senior Specialist Licensing Officer provided a summary of the information detailed in the report now submitted. Members were reminded that they should only be considering whether the taxi driver was a "fit and proper person" to hold a Dual Drivers' Licence based on the known facts and that the allegation in the report was a matter for the Police and the presumption of innocence until proven guilty.

Mr "B" stated that he was a "fit and proper person" and acknowledged the mistake he had made. He agreed that the comments in the Police Statement were correct but that there was provocation on the part of the passenger. Mr "B" stated that this was a lesson he would have to live with and would not allow it to happen again. He confirmed that he had only held a licence since November 2013 and provided a short summary of his career.

At the conclusion of the final representations, Mr "B" and the Senior Specialist Licensing Officer withdrew to allow the Sub-Committee to consider the evidence.

Following this the Senior Specialist Licensing Officer and Mr "B" returned and the Chairman announced that the Sub-Committee had carefully considered the evidence and were extremely concerned that Mr "B" had acted in the manner detailed in the report and that this constituted

unacceptable behaviour. The Sub-Committee therefore felt that Mr "B" was not a "fit and proper person" to hold a Dual Drivers' Licence and that the licence be revoked with immediate effect.

RESOLVED – that for the reasons now detailed, the Dual Drivers' Licence be revoked with immediate effect in the interest of public safety.

The meeting closed at 10.45 am

Chairman

Date