

MINUTES OF A MEETING OF THE
LICENSING SUB-COMMITTEE HELD IN
THE COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON MONDAY 14 JANUARY
2013, AT 2.00 PM

PRESENT: Councillor M McMullen (Chairman).
Councillors Mrs D Hone and J Taylor.

ALSO PRESENT:

Councillor Mrs R Cheswright.

OFFICERS IN ATTENDANCE:

Lorraine Blackburn	- Democratic Services Officer
Paul Newman	- Interim Licensing Manager
George Robertson	- Legal Services Manager

21 APPOINTMENT OF CHAIRMAN

It was proposed by Councillor D Hone and seconded by Councillor J Taylor 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.

22 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 Minutes 23 – 29 on the grounds that they involved the likely disclosure of exempt information as defined in paragraph 1 of Part 1

of Schedule 12A of the said Act.

23 APPLICATION FOR A TAXI DRIVER'S LICENCE –
APPLICANT WITH UNSPENT CONVICTIONS APPLICATION
NUMBER 006587

The Chairman outlined the procedure to be followed. All those present for the application were introduced. The applicant agreed that Councillor Mrs R Cheswright could remain in the room as an observer.

The Licensing Manager advised the Sub-Committee of the details of the application and provided background information relating to the applicant. The Sub-Committee was asked to consider whether the applicant was a fit and proper person to hold a Taxi Driver's Licence. The Licensing Manager reminded the Sub-Committee that the Policy referred to in the report had not yet been approved and so should be disregarded.

The applicant addressed the Sub-Committee in support of his application and responded to a number of Members' queries.

At the conclusion of representations, the Sub-Committee withdrew with the Legal Services Advisor and the Democratic Services Officer to consider the evidence.

Following this, they returned and the Chairman announced the decision of the Sub-Committee. The Sub-Committee had discussed the application in detail. As a Sub-Committee, Members had to have regard to the travelling public and bearing in mind the applicant's past convictions, the Sub-Committee did not feel that the applicant was a fit and proper person to hold a Taxi Driver's Licence.

RESOLVED – that the application be refused.

24 APPLICATION FOR A TAXI DRIVER'S LICENCE –
APPLICANT WITH UNSPENT CONVICTIONS APPLICATION
NUMBER 022540

The Chairman outlined the procedure to be followed. All those present for the application were introduced. The applicant agreed that Councillor Mrs R Cheswright could remain in the room as an observer.

The Licensing Manager advised the Sub-Committee of the details of the application and provided background information relating to the applicant. The Sub-Committee was asked to consider whether the applicant was a fit and proper person to hold a Taxi Driver's Licence. The Licensing Manager reminded the Sub-Committee that the Policy referred to in the report had not yet been approved and should be disregarded.

The applicant's solicitor addressed the Sub-Committee in support of his client's application and both responded to a number of Members' queries.

At the conclusion of representations, the Sub-Committee withdrew with the Legal Services Advisor and the Democratic Services Officer to consider the evidence.

Following this, they returned and the Chairman announced the decision of the Sub-Committee. The application had been discussed in detail and the Sub-Committee had noted the applicant's sincere attempts to improve. However, these offences were only 12 months ago and the Sub-Committee advised that they had to have regard to the travelling public. As such, the Sub-Committee was not satisfied that the applicant was a fit and proper person to hold a Taxi Driver's Licence.

RESOLVED – that the application be refused.

25 APPLICATION FOR A TAXI DRIVER'S LICENCE –
APPLICANT WITH UNSPENT CONVICTIONS APPLICATION
NUMBER 010615

The Chairman outlined the procedure to be followed. All those present for the application were introduced. The applicant agreed that Councillor Mrs R Cheswright could remain in the room as an observer.

The Licensing Manager advised the Sub-Committee of the details of the application and provided background information relating to the applicant. The Sub-Committee was asked to consider whether the applicant was a fit and proper person to hold a Taxi Driver's Licence. The Licensing Manager reminded the Sub-Committee that the Policy referred to in the report had not yet been approved and should be disregarded.

The applicant addressed the Sub-Committee in support of his application and responded to a number of Members' queries.

At the conclusion of representations, the Sub-Committee withdrew with the Legal Services Advisor and the Democratic Services Officer to consider the evidence.

Following this, they returned and the Chairman announced the decision of the Sub-Committee. The Sub-Committee had discussed the application in detail and had to have regard to the travelling public. The Sub-Committee had very serious concerns regarding the applicant's past convictions. As such the Sub-Committee was not satisfied that the applicant was a fit and proper person to hold a Taxi Driver's Licence.

RESOLVED – that the application be refused.

26 APPLICATION FOR A TAXI DRIVER'S LICENCE –
APPLICANT WITH SPENT CONVICTIONS APPLICATION
NUMBER 022201

The Chairman outlined the procedure to be followed. All those present for the application were introduced. The applicant agreed that Councillor Mrs R Cheswright could

remain in the room as an observer.

The Licensing Manager advised the Sub-Committee of the details of the application and provided background information relating to the applicant. The Sub-Committee was asked to consider whether the applicant was a fit and proper person to hold a Taxi Driver's Licence. The Licensing Manager reminded the Sub-Committee that the Policy referred to in the report had not yet been approved and should be disregarded.

The applicant addressed the Sub-Committee in support of his application and responded to a number of Members' queries.

At the conclusion of representations, the Sub-Committee withdrew with the Legal Services Advisor and the Democratic Services Officer to consider the evidence.

Following this, they returned and the Chairman announced the decision of the Sub-Committee. The Chairman stated that the application had been very difficult to consider and had been discussed in detail. The Chairman advised that the Sub-Committee had to have regard to the travelling public, but in noting the applicant's sincere efforts to improve, the Sub-Committee decided to give the applicant an opportunity to change his life around. The Sub-Committee advised the applicant that they expected the applicant to honour his assurances to the Sub-Committee and did not expect to see him in the future. The Sub-Committee decided, as the offences occurred so long ago, to grant the applicant a Taxi Driver's Licence.

RESOLVED – that the application be approved.

27 APPLICATION FOR A TAXI DRIVER'S LICENCE –
APPLICANT WITH UNSPENT CONVICTIONS APPLICATION
NUMBER 021526

Owing to the inclement weather and the applicant's non-

attendance, it was agreed that this application be deferred to the next meeting.

28 APPLICATION FOR A TAXI DRIVER'S LICENCE –
APPLICATION WITH DRIVING CONVICTIONS
APPLICATION NUMBER 022099

Owing to the inclement weather and the applicant's non-attendance it was agreed that this application be deferred to the next meeting.

29 APPLICATION TO RENEW A TAXI DRIVER'S LICENCE –
EXISTING DRIVER WITH CAUTION EXISTING DRIVER 1
OF 1

The Chairman outlined the procedure to be followed. All those present for the application were introduced. The applicant agreed that Councillor Mrs R Cheswright could remain in the room as an observer.

The Licensing Manager advised the Sub-Committee of the details of the application and provided background information relating to the applicant. The Sub-Committee was asked to consider whether the applicant was a fit and proper person to hold a Taxi Driver's Licence.

The applicant addressed the Sub-Committee and outlined in detail, the background which had brought him before the Sub-Committee and the action he had taken to seek justice for the stress and grievance caused to him. He responded to Members' queries and points of clarification.

At the conclusion of representations, the Sub-Committee withdrew with the Legal Services Advisor and the Democratic Services Officer to consider the evidence.

Following this, they returned and the Chairman announced the decision of the Sub-Committee. The Sub-Committee had considered the matter in detail and there was no doubt in their minds that the renewal of the

applicant's licence would be entirely appropriate. There was also no doubt in the Sub-Committee's minds that the applicant was a fit a proper person to hold a Taxi Driver's Licence.

RESOLVED – that the application be approved.

The meeting closed at 4.55 pm

Chairman
Date