

MINUTES OF A MEETING OF THE  
LICENSING SUB-COMMITTEE HELD IN  
THE COUNCIL CHAMBER, WALLFIELDS,  
HERTFORD ON FRIDAY 25 APRIL 2014,  
AT 10.00 AM

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PRESENT: Councillor M McMullen (Chairman).  
Councillors J Jones and J Taylor.

ALSO PRESENT:

Councillors R Beeching and P Ruffles.

OFFICERS IN ATTENDANCE:

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

55 APPOINTMENT OF CHAIRMAN

It was proposed by Councillor J Taylor and seconded by Councillor J Jones 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.

56 MINUTES – 17 MARCH 2014

RESOLVED – that the Minutes of the meeting held on 17 March 2014 be confirmed as a correct record and signed by the Chairman.

57 EXCLUSION OF PRESS AND PUBLIC

The Sub-Committee passed a resolution pursuant to Section 100 (A) (4) of the Local Government Act 1972, to exclude the press and public during consideration of the business referred to in Minute 58 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.

58 APPLICATION FOR A PRIVATE HIRE DRIVERS LICENCE – APPLICANT WITH SPENT CONVICTIONS

The Chairman outlined the procedure to be followed. All those present were introduced. The applicant agreed that Councillors R Beeching, P Moore and P Ruffles could remain in the meeting as observers.

The Senior Specialist Licensing Officer advised the Sub-Committee of the details of the application and explained that it was for Members to decide whether the applicant was a “fit and proper person” to hold a private hire driver’s licence. Members were reminded that, although the convictions were all considered spent under the Rehabilitation of Offenders Act 1974, they remained “live” in respect of applications for Hackney carriage or Private Hire Drivers’ Licences.

The applicant provided a detailed account of the events which lead to the convictions. He stated that on two occasions he had also been racially provoked by a Traffic Warden while waiting to pick up a customer. The applicant admitted that he had been waiting on double-yellow lines at the time and explained the problems of picking up customers at that specific location.

The applicant provided a summary of his previous employment as a licensed private hire driver within the Districts of Dacorum and Three Rivers.

The applicant stated that he considered himself to be a “fit and proper person” and confirmed that he did not have a criminal record. He emphasised that no complaints had been made about his conduct and that he got on well with the travelling public. He referred to the fact that he had been given a private hire licence by other licensing authorities and provided a summary of the length of time he had worked within those Districts. The applicant stated that this was the only way he could earn a living.

In response to a query from the Chairman regarding his “loss of temper”, he stated that this had occurred when a racially motivated comment was made by a Traffic Warden. He regretted the event.

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

Following this they returned and the Chairman announced that the Sub-Committee had listened to the comments of the applicant and the Senior Specialist Licensing Officer and had decided to allow the applicant to proceed to become a licensed private hire driver, on the basis that he could be considered a “fit and proper person”.

The Sub-Committee emphasised that as a responsible driver, the applicant must observe all highway restrictions, including double yellow lines at all times. The Sub-Committee reminded the applicant that he must at all times control his temper when dealing with the public and authority.

RESOLVED – that, for the reasons now detailed, the applicant be allowed to proceed to become a licensed private hire driver.

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The meeting closed at 11.00 am

Chairman .....

Date .....