

LICENSING SUB-COMMITTEE

17 JANUARY 2013

Minutes of the meeting of the Licensing Sub-Committee of Flintshire County Council held at Clwyd Committee Room, County Hall, Mold CH7 6NA on Thursday, 17 January 2013

PRESENT: Councillor Tony Sharps (Chairman)

Councillors Jim Falshaw and Mike Reece

OFFICERS OF FLINTSHIRE COUNTY COUNCIL:

Solicitor (Mr. T. Dillon), Licensing Officer (Mr. J. Lowe) and Committee Officer

It was agreed by the Committee that the start time of the meeting be delayed until 2.05 p.m. to allow for the applicant to arrive.

1. APOLOGIES

None were received.

It was agreed by the Committee that as the applicant was not present, the hearing would proceed in the applicant's absence.

2. DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)

None were received.

3. LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 - TO CONSIDER THE EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED

That the press and public be excluded from the meeting for the following item as it is considered to contain exempt information by virtue of paragraphs 12 and 13 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended).

4. APPLICATION FOR A PRIVATE HIRE / HACKNEY CARRIAGE DRIVERS LICENCE

The Licensing Officer introduced a report to request that Members determine an application for a Private Hire/Hackney Carriage Drivers Licence.

At 2.10 p.m. the applicant arrived at the meeting. The Chairperson invited the Licensing Officer to introduce the report for a second time for the benefit of the applicant.

Approved		Date
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The Chairperson invited the applicant to comment on the details included in the report. The applicant provided answers to the questions put to him by the Members on the Committee and the Solicitor.

5. DETERMINATION OF THE REPORT

When the Chairperson was satisfied that the Panel had asked the applicant and Licensing Officer all relevant questions he asked the applicant and Licensing Officer to leave the meeting whilst the Sub-Committee made their decision.

6. DECISION

The Applicant and Licensing Officer were invited to return to the meeting.

The Chairperson explained that the Licensing Sub-Committee had considered at length all the representations made, including the report of the Licensing Officer, the Applicant's paper application together with the comments and responses given by the Applicant to questions asked at the hearing.

The Sub-Committee were concerned about the Applicant's previous convictions and in particular the recent conviction concerning dishonesty and considered Flintshire County Council's Private Hire Licensing Policy in respect of dishonesty convictions. The Sub-Committee were not confident with the Applicant's explanation, detail and account, both oral and written, of the offence that led to the conviction, which the Sub-Committee considered to be vague, lacking in clarity and at times a distortion from the truth, especially the Applicant's response to questions asked about the conviction.

The Sub-Committee were of the view they had a paramount duty to protect the public and in consideration of all the representations made considered that the Applicant was not currently a fit and proper person to hold a Private Hire/Hackney Carriage Drivers' Licence.

RESOLVED:

That the application be refused.

(The meeting started at 2.05 pm and ended at 3.05 pm)