

LICENSING SUB-COMMITTEE

8 OCTOBER 2013

Minutes of the meeting of the Licensing Sub-Committee of Flintshire County Council held in the Delyn Committee Room, County Hall, Mold CH7 6NA on Tuesday, 8 October 2013

PRESENT:

Councillors David Cox (Vice-Chair, in the Chair), Jim Falshaw and Mike Reece

OFFICERS OF FLINTSHIRE COUNTY COUNCIL:

Solicitor (Mr. T. Dillon), Senior Licensing Officer and Team Manager, Committee Services

1. APOLOGIES

None were received.

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 (JOINT) DRIVER LICENCE

The Chairman welcomed the applicant, introduced the Members of the Sub-Committee, and explained the procedure for the hearing. The applicant's current employer was also in attendance to support the application.

The Senior Licensing Officer introduced the report, the purpose of which was for Members to consider and determine an application for a Private Hire / Hackney Carriage (Joint) Driver Licence.

A full history of the driver was provided by the Senior Licensing Officer including a previous application made in October 2012 which was refused at Sub-Committee in January 2013. Copies of the minutes of that meeting were attached for reference.

Approved		Date
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The Senior Licensing Officer drew Members attention to paragraphs 4.6-4.10, 4.12, 4.21 and 4.22 of Flintshire County Council's adopted guidance in relation to the treatment of convictions, cautions, criminal charges or other recorded sanctions.

Following an invitation by the Chairman, the applicant's employer provided information in support of the application, in particular that the applicant had been an employee of his company for the previous 13 months. He gave examples of how he felt the applicant had demonstrated that he was a fit and proper person to hold a Private Hire / Hackney Carriage (Joint) Driver Licence, which included working with vulnerable people. The applicant's employer also provided a detailed letter of support.

The Chairman invited members of the Sub-Committee to ask questions to which the applicant responded.

When the Chairman was satisfied that the Sub-Committee had asked the applicant and the Senior Licensing Officer all relevant questions he asked the applicant, his employer and the Officer to leave the meeting whilst the Sub-Committee made their decision.

5. DETERMINATION OF THE APPLICATION

The Sub-Committee considered the application including both written and oral representations made by the applicant, his employer and the Licensing Authority.

Following careful consideration of all of the information and evidence provided, the Sub-Committee were of the view the applicant was a fit and proper person to become a Private Hire / Hackney Carriage (Joint) Driver licensed by Flintshire County Council. However, it was agreed that the licence would be granted for a probationary period of 12 months.

6. DECISION

The Senior Licensing Officer and the applicant were invited to return to the meeting.

The Chairman advised the applicant that, in consideration of the written and oral evidence and representations made, the Sub-Committee had decided that the applicant was a fit and proper person to become a Private Hire / Hackney Carriage (Joint) Driver licensed by Flintshire County Council. However, it was agreed that the licence would be granted for a probationary period of 12 months. Following the probationary period the applicant would be issued with a Private Hire / Hackney Carriage (Joint) Driver licence save for an enhanced CRB check at the applicant's own expense, the results of which are acceptable to the Licensing Authority thereof.

RESOLVED:

Approved		Date
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That in light of the evidence produced both in written form and orally at the meeting, the Sub-Committee a private hire/hackney carriage (joint) driver licence be granted for a probationary period of 12 months.

(The meeting started at 10.00 am and ended at 10.25 am)

Approved		Date
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