

LICENSING SUB-COMMITTEE
27th SEPTEMBER 2016 – 2.00PM

Minutes of the meeting of the Licensing Sub Committee of Flintshire County Council held at County Hall, Mold on Tuesday, 27th September 2016

PRESENT: Councillor Tony Sharps (Chairman)

Councillors: David Cox and Jim Falshaw

OFFICERS OF FLINTSHIRE COUNTY COUNCIL

Solicitor (Tim Dillon), Licensing Team Leader (Gemma Potter) and Team Manager, Committee Services (Nicola Gittins)

1. DECLARATIONS OF INTEREST

None were received.

2. 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 was considered to contain exempt information by virtue of paragraphs 12 and 13 of Part 4 of Schedule 12A of the Local Government Act 1972 (as amended).

3. HEARING AND DETERMINATION OF THE APPEAL

The Chair welcomed the applicant and introduced the Members of the Sub-Committee and Council officers. He explained the procedure for the hearing, including how the application would be determined.

4. APPLICATION FOR A PRIVATE HIRE / HACKNEY CARRIAGE (JOINT) DRIVER LICENCE

The Licensing Team Leader introduced the report to consider and determine an application for a Private Hire / Hackney Carriage (Joint) Driver Licence.

Background information was provided to Members, explaining that due to the nature of the applicant's previous convictions the Sub-Committee was required to determine whether he was a fit and proper person to hold such a licence. The report provided detailed information on the applicant's prior convictions and the Council's adopted guidance on dealing with such matters.

Members asked a number of questions in relation to the applicant's previous convictions which were answered by the applicant. The Solicitor also asked questions of the applicant in relation to his past which were also answered.

The Licensing Team Leader read out the references which had been received in support of the applicant's application.

Approved		Date
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The Chair asked if the applicant felt he had received a fair and proper hearing to which he said he had.

4.1 Determination of the Application

Following consideration of the application including all representations, the Sub-Committee was of the view that the applicant was a fit and proper person within the meaning of the Local Government (Miscellaneous Provisions) Act 1976 to hold a Private Hire / Hackney Carriage (Joint) Driver Licence. This was with the condition that the licence be granted for a probationary period of 12 months following which the applicant would be required to undertake a further DBS enhanced criminal records check at their own expense prior to the expiry of the probationary period.

The Licensing Team Leader and applicant were invited to return and the meeting reconvened.

4.2 Decision

The Chair advised that the Sub-Committee considered the applicant to be a fit and proper person to hold a Private Hire / Hackney Carriage (Joint) Driver Licence.

RESOLVED:

- (a) That the applicant was a fit and proper person to hold a Private Hire / Hackney Carriage (Joint) Driver Licence under the Local Government (Miscellaneous Provisions) Act 1976 and was granted a licence for a probationary period of 12 months; and
- (b) That a DBS check be undertaken at the applicant's own expense prior to completion of the probationary term and a certificate produced to the Licensing Authority on the expiry of the probationary period.

The meeting commenced at 2.00pm and ended at 3.35pm.

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LICENSING SUB-COMMITTEE
27th SEPTEMBER 2016 – 3.40PM

Minutes of the meeting of the Licensing Sub Committee of Flintshire County Council held at County Hall, Mold on Tuesday, 27th September 2016

PRESENT: Councillor Tony Sharps (Chairman)

Councillors: David Cox and Jim Falshaw

OFFICERS OF FLINTSHIRE COUNTY COUNCIL

Solicitor (Tim Dillon), Licensing Team Leader (Gemma Potter) and Team Manager, Committee Services (Nicola Gittins)

1. DECLARATIONS OF INTEREST

None were received.

2. 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 was considered to contain exempt information by virtue of paragraphs 12 and 13 of Part 4 of Schedule 12A of the Local Government Act 1972 (as amended).

3. HEARING AND DETERMINATION OF THE APPEAL

The Chair welcomed the applicant and introduced the Members of the Sub-Committee and Council officers. He explained the procedure for the hearing, including how the application would be determined.

4. APPLICATION FOR A PRIVATE HIRE / HACKNEY CARRIAGE (JOINT) DRIVER LICENCE

The Licensing Team Leader introduced the report to consider and determine an application for a Private Hire / Hackney Carriage (Joint) Driver Licence.

Background information was provided to Members, explaining that due to the nature of the applicant's previous convictions and the frequency over a period of time, the Sub-Committee was required to determine whether he was a fit and proper person to hold such a licence. The report provided detailed information on the applicant's prior convictions and the Council's adopted guidance on dealing with such matters.

Members asked a number of questions in relation to the applicant's previous convictions which were answered by the applicant. The Solicitor also asked questions of the applicant in relation to his past which were also answered.

Approved		Date
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The Chair asked if the applicant felt he had received a fair and proper hearing to which he said he had.

4.1 Determination of the Application

Following consideration of the application including all representations, the Sub-Committee was of the view that the applicant was a fit and proper person within the meaning of the Local Government (Miscellaneous Provisions) Act 1976 to hold a Private Hire / Hackney Carriage (Joint) Driver Licence.

The Licensing Team Leader and applicant were invited to return and the meeting reconvened.

4.2 Decision

The Chair advised that the Sub-Committee considered the applicant to be a fit and proper person to hold a Private Hire / Hackney Carriage (Joint) Driver Licence.

RESOLVED:

That the applicant was a fit and proper person to hold a Private Hire / Hackney Carriage (Joint) Driver Licence under the Local Government (Miscellaneous Provisions) Act 1976 and was granted a licence.

The meeting commenced at 3.40 p.m. and ended at 4.12 p.m.

Approved		Date
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