

**LICENSING SUB-COMMITTEE**  
**4 SEPTEMBER 2017**

Minutes of the meeting of the Licensing Sub-Committee of Flintshire County Council held at County Hall, Mold on Monday, 4 September 2017 at 10.45am

**Present: Councillor Tony Sharps (Chairman)**

Councillors: Brian Lloyd and Mike Reece

**Officers of Flintshire County Council:**

Licensing Team Leader (Gemma Potter), Solicitor (Tim Dillon) and Democratic Services Officer (Sharon Thomas)

Applicant

**1. APOLOGIES**

None.

**2. DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)**

None were received.

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

**RESOLVED**

That the press and public be excluded from the meeting for the following item as this 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).

**4. HEARING AND DETERMINATION OF THE APPLICATION**

The Chairman welcomed the applicant and introduced the panel members. He explained the procedure for the hearing, including how the application would be determined.

**5. CONDUCT OF A PRIVATE HIRE/HACKNEY CARRIAGE (JOINT) DRIVER**

The Licensing Team Leader presented the report to consider the conduct of a Private Hire/Hackney Carriage (Joint) Driver.

In response to questions from the panel, the applicant provided information on his recent speeding conviction and clarified the reason for his decision to accept a short driving ban rather than additional penalty points. He said that he had not been overtaking at the time and was not aware of the change in speed limit along that particular stretch of the road. He also explained the

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circumstances relating to penalty points for previous convictions, which were shortly due to expire.

When invited to ask questions, the applicant raised the subject of black circle speed signs on which clarification was given. In providing further information on his most recent conviction, he said that exceeding the speed limit had been a lapse in concentration and that he had learned from the incident. He therefore did not feel that attendance at a speed awareness course was necessary, as he was a frequent driver and had a device installed in his car would help to monitor changes in speed limits.

When the Chairman was satisfied that all relevant questions had been raised, he asked that the applicant and the Licensing Team Leader leave the meeting to enable the panel to reach a decision.

### **5.1 Determination of the Application**

In determining the application, the panel considered the applicant's written and verbal representations and the Council's guidance on the treatment of convictions resulting in a short period qualification. In considering the circumstances involved in the disqualification and the precautionary steps taken by the applicant, the panel felt that he was a fit and proper person to hold a Private Hire/Hackney Carriage (Joint) Drivers Licence.

The Licensing Team Leader and the applicant were invited to return so that the meeting could be reconvened.

### **5.2 Decision**

The Chairman advised that, having considered the representations made, the panel agreed that the applicant could continue to have a private hire/hackney carriage drivers' licence.

#### **RESOLVED:**

That the applicant was a fit and proper person to hold a Private Hire/Hackney Carriage Driver's Licence under the Local Government (Miscellaneous Provisions) Act 1976 and that he be granted to have such a Licence.

(The meeting started at 10.45am and ended at 11.20am)

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