

LICENSING SUB-COMMITTEE

3 AUGUST 2012

Minutes of the meeting of the Licensing Sub-Committee of Flintshire County Council held at Clwyd Committee Room, County Hall, Mold CH7 6NA on Friday, 3 August 2012

PRESENT: Councillor Tony Sharps (Chairman)

Councillors David Cox and Alan Diskin

OFFICERS OF FLINTSHIRE COUNTY COUNCIL:

Solicitor (Mr. T. Dillon), Team Leader – Licensing (Mrs. G. Potter) and Committee Officer

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. The Team Leader – Licensing advised that the invitation letter to this hearing had indicated that the hearing could continue if the driver was not in attendance.

2. DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)

The Team Leader – Licensing declared that she used to be an acquaintance of the driver.

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 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. ALLEGATIONS AGAINST A LICENSED PRIVATE HIRE/HACKNEY CARRIAGE (JOINT) DRIVER

The Team Leader - Licensing introduced a report to request that Members consider recent allegations which had been made against a licensed Private Hire/Hackney Carriage (Joint) Driver, and to determine whether the driver was a fit and proper person to continue to hold such a licence.

The Team Leader – Licensing provided answers to the questions put to her by the Members on the Committee and the Solicitor.

5. DETERMINATION OF THE REPORT

When the Chairman was satisfied that the Panel had asked the Team Leader - Licensing all relevant questions he asked the Team Leader – Licensing to leave the meeting whilst the Sub-Committee made their decision.

6. DECISION

The Team Leader – Licensing was invited to return to the meeting.

The Solicitor read out the following statement:-

‘The Licensing Sub-Committee had considered the representations made by the Licensing Authority. In particular the Sub-Committee noted the very serious nature of the allegations. They had heard representations that the Police were investigating those serious allegations and noted the driver was on Police bail. The terms of the Police bail included not to have unsupervised contact with females under 16 years of age. The Sub-Committee noted a significant proportion of the driver’s work included school contracts. As such it appeared the driver cannot continue to perform their driving duties and contracts whilst this investigation was ongoing. The investigation into the allegations appeared to be credible and had merit based upon the representations heard. The Sub-Committee had a paramount duty to protect the public and in consideration of all the representations made, had decided to suspend the licence pending the outcome of the Police investigation and prosecution.’

RESOLVED:

That the licence be suspended pending the outcome of the Police investigation and prosecution.

7. DURATION OF MEETING

The meeting commenced at 9.42 a.m. and ended at 10.18 a.m.