

LICENSING SUB-COMMITTEE
28 JANUARY 2015

Minutes of the meeting of the Licensing Sub-Committee of Flintshire County Council held in the Delyn Committee Room, County Hall, Mold on Wednesday, 28 January 2015

PRESENT: **Councillor Tony Sharps (Chairman)**
Councillors: Jim Falshaw and Mike Reece

OFFICERS OF FLINTSHIRE COUNTY COUNCIL:
Solicitor (Mrs L. Pedreschi), Senior Licensing Officer and Committee Officer

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 4 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.

He invited the applicant to outline the circumstances which had given rise to the offences. The applicant explained the background and personal circumstances that had led to the convictions.

The Chairman invited Members of the Sub-Committee to ask questions. The applicant responded to the queries raised by Members and outlined his current family situation and provided details of his past and current employment.

Mrs. L. Pedreschi questioned the applicant in further detail concerning the circumstances around his convictions and asked him to explain the reason for his subsequent actions.

The Senior Licensing Officer advised that two character references had been received in respect of the applicant.

Approved		Date
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The Chairman asked the applicant if he had any further information to relate to the Panel in support of his application. When the Chairman was satisfied that the Panel had asked the applicant and the Senior Licensing Officer all relevant questions, he asked the applicant and the Officer to leave the meeting whilst the Sub-Committee made their decision.

DETERMINATION OF THE APPLICATION

The Sub-Committee considered the application including both written and oral representations made by the applicant and the Licensing Authority. They considered whether the applicant, in light of his convictions, was a fit and proper person to hold a Private Hire/Hackney Carriage (Joint) Driver's licence. The Sub-Committee also considered whether the applicant provided a credible account of the facts and reasons behind the convictions.

The Sub-Committee agreed that on the balance of probabilities, the applicant was a fit and proper person within the meaning of the Local Government (Miscellaneous Provisions) Act 1976 to hold such a licence.

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

DECISION

The Chairman advised that the Sub-Committee had listened to all of the representations both verbal and written in respect of this application, to include that of the applicant.

The Sub-Committee had heard the nature of the convictions and of the account of why they were committed and the extenuating circumstances at the time. The Sub-Committee had decided that on balance the applicant was a fit and proper person to hold a Private Hire/Hackney Carriage (Joint) Driver Licence.

However, the Sub-Committee still had slight concerns that the full 10 years had not elapsed (as noted at paragraph 4.22 of the Local Authority Policy) since the applicant's last conviction and the Sub-Committee accordingly granted a probationary licence for 12 months. The cost of a further DBS application at the end of that period was to be borne by the applicant.

RESOLVED:

That in light of the evidence produced both in written form and orally at the meeting, the Sub Committee agreed to grant a probationary Private Hire/Hackney Carriage (Joint) Driver Licence for a period of 12 months.

Approved		Date
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(The meeting started at 10.00am and ended at 11.00am)

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