

LICENSING SUB-COMMITTEE
24 FEBRUARY 2015

Minutes of the meeting of the Licensing Sub-Committee of Flintshire County Council held in the Clwyd Committee Room, County Hall, Mold CH7 6NA on Tuesday, 24 February 2015

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

OFFICERS OF FLINTSHIRE COUNTY COUNCIL:
Senior Licensing Officer (Gemma Potter), Solicitor (Tim Dillon) and Committee Officer

Applicant

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 items as they were considered to contain exempt information by virtue of paragraph(s) 12 and 13 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended).

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

The Chairman welcomed the applicant and his representative, introduced the members of the Sub-Committee and explained the procedure for the hearing.

The Senior Licensing Officer introduced the report for Members to consider the conduct of a Private Hire/Hackney Carriage (Joint) Driver and to determine whether the applicant remained a fit and proper person to hold such a licence within the meaning of the Local Government (Miscellaneous Provisions) Act 1976. The report detailed the contents of the application, together with information on the applicant's conduct and the Council's adopted guidance on dealing with such matters. The applicant confirmed that he was in receipt of a copy of the report.

The Chairman invited the applicant and his representative to make representations and to provide responses to questions raised by the panel.

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With the permission of the Chairman, the applicant circulated a number of character references letter which had been provided by friends/clients. He went on to give details surrounding the incident and provided a signed statement which corroborated his comments.

When the Chairman was satisfied that all relevant questions had been raised, he requested that the applicant, his representative and the Senior Licensing Officer leave the meeting whilst the Sub-Committee reached a decision.

4.1 Determination of the Application

Following consideration of the application including both written and verbal representations made by the applicant and the Licensing Authority, the Sub-Committee was of the view that the applicant remained a fit and proper person to retain a Private Hire/Hackney Carriage (Joint) Drivers Licence.

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

4.2 Decision

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

The applicant was therefore allowed to retain his Private Hire/Hackney Carriage (Joint) Drivers Licence.

The Chairman said that the panel strongly recommended that the applicant consider carefully decisions he may make in the future, for his own benefit.

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.

5. 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 Senior Licensing Officer introduced the report for Members to consider the convictions of the applicant and whether the applicant was a fit and proper person to hold a Private Hire / Hackney (Joint) Driver Licence within the meaning of the Local Government (Miscellaneous Provisions) Act 1976. The report detailed the contents of the application, together with information on the

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applicant's convictions and the Council's adopted guidance on dealing with such matters. The applicant confirmed that he was in receipt of a copy of the report.

The Chairman invited the applicant to make representations and to provide responses to questions raised by the panel.

With the permission of the Chairman, the applicant circulated two character references letter which had been provided by a neighbour and doctor. He went on to give details of the historic convictions.

When the Chairman was satisfied that all relevant questions had been raised, he requested that the applicant, his representative and the Senior Licensing Officer leave the meeting whilst the Sub-Committee reached a decision.

5.1 Determination of the Application

Following consideration of the application including both written and verbal representations made by the applicant and the Licensing Authority, the Sub-Committee was of the view that the applicant remained a fit and proper person to retain a Private Hire/Hackney Carriage (Joint) Drivers Licence.

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

5.2 Decision

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

The applicant was therefore granted a Private Hire/Hackney Carriage (Joint) 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.

(The meeting started at 2.00 pm and ended at 3.20 pm)

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