

LICENSING SUB-COMMITTEE
24 AUGUST 2017

Minutes of the meeting of the Licensing Sub-Committee of Flintshire County Council held in the Delyn Committee Room, County Hall, Mold CH7 6NA on Thursday, 24 August 2017

PRESENT: **Councillor Tony Sharps (Chairman)**
Councillors David Cox and Brian Lloyd

OFFICERS OF FLINTSHIRE COUNTY COUNCIL:
Solicitor, Licensing Team Leader, and Committee Officer

Applicant

1. DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)

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 is considered to contain exempt information by virtue of paragraph(s) _____ of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended).

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

The Licensing Team Leader presented the report to consider an application for a Private Hire/Hackney Carriage (Joint) Driver, licensed by the Authority.

The Licensing Team Leader explained that the application form asked for details of any previous convictions and the applicant had disclosed two convictions. However, on receipt of the applicant's Disclosure and Barring Service (DBS) criminal records disclosure a number of further convictions with separate offences were shown. The applicant was asked to provide a written explanation to address all the convictions and these were appended to the report. Due to the nature and frequency of the convictions the applicant was invited to appear before the Licensing Sub Committee to determine whether he was a fit and proper person to hold a Joint Driver Licence.

The Chairman invited the applicant to give a full explanation of his previous convictions as detailed on the Disclosure and Barring Service (DBS) criminal records disclosure.

Approved		Date
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The applicant referred to the written explanations which were appended to the report to address his convictions and provided further background information and explanation of all the offences. He stated that he had committed some of the offences in his youth, which he deeply regretted, and explained the reasons for his actions. He referred to his last conviction in 2003 and said he had not committed any offence since that time. He reiterated his regret for his past behaviour and said he had developed into a responsible, honest, hard working person as a result of his experiences and the sentences he had served.

The applicant responded to the questions raised concerning his employment history, and personal and family circumstances. He said he had undertaken some voluntary work with organisations, as an ex-offender, to inform and educate people who found themselves in similar difficult circumstances.

The Solicitor referred to the applicant's last conviction and sought further clarification around the circumstances which had given rise to the offence and the sentence he had served. The Solicitor questioned the applicant in detail on his place of residence at that time, the nature of his employment, and his understanding of matters relating to illegal substances. The applicant responded to the questions and explained that in relation to the conviction he had acted in "good faith" but had been deceived as to the purpose of the task he had agreed to undertake.

The Solicitor asked the applicant if he considered himself to be a fit and proper person to hold a Joint Driver Licence. The applicant said he was reliant upon income from employment for financial independence. He said he enjoyed work and meeting people and that he was a caring and helpful person. When questioned about his former 'lifestyle' the applicant said he was a reformed character who sought to make good use of his life. He said he regretted his past decisions and behaviour and the personal circumstances which had provoked them.

In response to a request from the Panel the applicant provided information on his future employment prospects should his application be successful.

When the Chairman was satisfied that all relevant questions had been raised, he requested that the applicant and the Licensing Team Leader leave the meeting whilst the application was determined.

4.1 Determination of the Application

In determining the application, the Sub Committee considered the Council's guidance on the treatment of convictions which was appended to the report. The honesty of the applicant was considered as he had failed to disclose all his convictions. The Sub Committee took into consideration the circumstances involved in each case, the written and verbal explanations provided, and the length of time since the last conviction and felt that the applicant had given a full and credible account of his actions. The Sub Committee agreed that the applicant was a fit and proper person to hold a Private Hire/Hackney Carriage (Joint) Driver Licence.

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

4.2 Decision

The Chairman advised the applicant that the Sub Committee had decided that he had given a full and credible account of his actions and his previous convictions and had agreed to grant the application.

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 that the Licence be granted.

(The meeting started at 11.00 a.m and ended at 12.10 p.m)

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