

LICENSING AND ENVIRONMENTAL PROTECTION COMMITTEE

At a meeting of this Committee held on
11 March 2021

(Present) **Councillor Banks (Chair)**
Councillors Bell, Cunliffe, Jones, Hattersley, T Long,
Maloney MBE, Murphy, O’Keefe, Pearl, Sweeney, Tasker and
Uddin

(Not Present) **Councillors Pearson and Pritchard**

13 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Pearson and Pritchard.

14 **MINUTES**

* **Resolved that the minutes of the meeting held on 10 February 2021 be approved.**

15 **DECLARATIONS OF INTEREST FROM MEMBERS**

No Declarations of Interest from Members were made.

16 **EXCLUSION OF THE PUBLIC**

* **Resolved that the public be excluded from the meeting during consideration of the following items for the reason stated:**

<u>Minute</u>	<u>Reason (under Local Government Act 1972)</u>
17	Information relating to an individual in accordance with Paragraph 1 of Schedule 12(a).

Councillor Uddin here left the meeting.

Councillor T Long left the meeting during discussion of the following item.

17 **APPLICATION TO RENEW HACKNEY CARRIAGE/PRIVATE HIRE DRIVER’S LICENCE (REF: HD1511)**

A report was presented to the Committee in relation to a renewal of existing Hackney Carriage/Private Hire Driver’s Licence (Ref: HD1511).

Upon checking the application dated 27 November 2020, the Licensing Section noted that HD1511’s address details were different to those held on file.

It was also noted that the applicant declared a motoring conviction from February 2020 for which they had received 6 penalty points. This had not been previously disclosed to the Licensing Section in accordance with the ‘7-day rule’.

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It was reported to Members that checks were undertaken in relation to the applicant's DVLA licence which confirmed that HD1511 had received 6 penalty points for an MS90 offence (failure to provide information as to identity) in February 2020.

This was originally for a speeding offence which carried 3 penalty points, however as HD1511 failed to provide the relevant information to the Police this was changed to the MS90 offence which carries 6 penalty points.

Members were advised that HD1511's application to renew their licence had not been granted due to the undeclared MS90 offence and 6 penalty points and the fact that HD1511 had previously been referred to this Committee for failure to declare convictions for motoring offences in May 2017. On this occasion, they received a 2-week suspension (reduced to 1-week on appeal to the Magistrates' Court).

Copies of the declaration of convictions form completed by HD1511, email correspondence between HD1511 and the Licensing Section in relation to the application to renew HD1511's licence, the Licensing Committee report and Decision Letter from May 2017 and Pre-Committee Interview notes dated 12 February 2021 were attached to the report as Appendices A to E respectively.

HD1511 attended the meeting by video link and was given every opportunity to present their case to Members and answer questions, before being invited to sum up their case.

HD1511 had also provided a written statement, which was circulated and considered by Members at the meeting.

HD1511 and Licensing Officers then left the meeting whilst the Committee deliberated in private with the Council's Solicitor.

- * **Resolved that on the balance of probabilities, that the application for renewal of Hackney Carriage/Private Hire Driver's Licence (Ref: HD1511) be refused as the Committee was not satisfied that HD1511 was a "fit and proper person" to hold a driver's licence pursuant to Section 51 and 59 of the Local Government (Miscellaneous Provisions Act) 1976 and the Council's Policy.**