

## LICENSING (GENERAL) SUB - COMMITTEE

### MINUTES OF THE MEETING HELD ON 9<sup>TH</sup> APRIL 2008

#### Present:

Councillor Parnell (Chair)  
Councillor Galton (Vice Chair)  
Councillors Blatchford, Drake and White.

#### Apologies

Councillor Cunio

#### 37. MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)

RESOLVED that the Minutes of the Licensing (General) Sub-Committee meetings held on 12<sup>th</sup> February 2008 be approved as a correct record subject to the following amendments: (Copy of the minutes circulated with the agenda and appended to the signed minutes)

#### Minute No.

34. to replace the words, "category 4 of paragraph 10.4 of the Council's Access to Information Procedure Rules" with, "categories 1 and 2 of paragraph 10.4 of the Council's Access to Information Procedure Rules";
36. to replace the words, "category 4 of paragraph 10.4 of the Council's Access to Information Procedure Rules" with, "categories 1 and 2 of paragraph 10.4 of the Council's Access to Information Procedure Rules."

#### 38. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED that in accordance with the Council's Constitution, specifically the Access to Information Rules, the press and public be excluded from the meeting at a predetermined point in the hearing in respect of any consideration of the following matters and specifically in respect of any consideration of Minute No's. 39 and 40 on grounds based on Categories 1 and 2 of paragraph 10.4 of the Council's Access to Information Procedure Rules because failing to do so would constitute a breach of the Data Protection Act 1998 as well as a breach of a Common Law duty of confidentiality.

#### 39. FIT AND PROPER PERSON – PRIVATE HIRE DRIVER

The Sub-Committee considered the confidential report of the Solicitor to the Council concerning a review of a Private Hire Driver's Licence (copy of report circulated with agenda and appended to signed minutes).

The driver was in attendance and, with the consent of the Chair, addressed the meeting.

The Sub-Committee considered the decision in confidential session in accordance with Categories 1 and 2 of Paragraph 10.4 of the Council's Access to Information Procedure Rules.

RESOLVED that the driver in question be allowed to continue to hold a private hire driver's licence, subject to a 48-hour suspension to commence on the issue of formal written notice from the City Council's Licensing Officer, or sooner if at the driver's request.

#### REASON FOR DECISION

Having regard to the Home Office Guidelines and considering all the relevant facts, the Sub-Committee was satisfied that the driver was a fit and proper person to hold a Private Hire Driver's Licence but that a suspension was necessary and that any further caution or conviction would be viewed seriously.

#### 40. APPLICATION FOR GRANT OF PRIVATE HIRE DRIVER'S LICENCE

The Sub-Committee considered the confidential report of the Solicitor to the Council concerning an application for the grant of a Private Hire Driver's licence (copy of report circulated with agenda and appended to signed minutes).

The applicant was in attendance and, with the consent of the Chair, addressed the meeting.

The Sub-Committee considered the decision in confidential session in accordance with Categories 1 and 2 of Paragraph 10.4 of the Council's Access to Information Procedure Rules.

RESOLVED that the application be granted.

#### REASON FOR DECISION

Having regard to the Home Office Guidelines the Sub-Committee was satisfied that the applicant was a fit and proper person. The Sub-Committee stressed that, given the seriousness of the matters considered, any further misdemeanours whether committed in the near future or otherwise and whether directly related to driving and the taxi/private hire trade or not would be viewed very seriously.

41. DECLARATION OF NEW AIR QUALITY MANAGEMENT AREAS

The Sub-Committee considered the report of the Head Of Planning And Sustainability seeking approval for the declaration of two new Air Quality Management Areas and amendments to two existing Air Quality Management Areas (copy of report circulated with agenda and appended to signed minutes).

RESOLVED:

- (i) that the amendments to two Air Quality Management Areas at Winchester Road (a reduction in the area of the existing AQMA) and Town Quay (an extension to the area of the existing AQMA), and the declaration of two new Air Quality Management Areas at Millbrook Road and Commercial Road be approved;
- (ii) that authority be granted to the Solicitor to the Council to take all action necessary to give effect to the recommendations including the drafting, publication and confirmation of such Orders and other legal processes or documentation as may be required.