

**LICENSING (GENERAL) SUB – COMMITTEE**

**MINUTES OF THE MEETING HELD ON WEDNESDAY 1<sup>st</sup> OCTOBER 2008**

Present: Councillors Wells (Chair), Blatchford, and Galton,

Apologies: Councillors Cunio, Fuller, Norris and Willacy

**18. MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)**

RESOLVED that the minutes from the meeting held on 3<sup>rd</sup> September 2008 be approved and signed as a correct record.

**19. 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 20 and 21 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.

**20. 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 and his brother were in attendance and, with the consent of the Chair, addressed the meeting. A written character reference was also submitted for the Sub-Committee's consideration,

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 THE DECISION**

Having regard to the Home Office Guidelines the Sub-Committee was satisfied that the applicant was a fit and proper person to hold a Private Hire Driver's Licence.

The Sub-Committee's decision was based on the applicant's changed personal and family circumstances, as well as the length of time that had elapsed since the last offence.

## ITEM NO 4

The Sub-Committee stressed that any further cautions or convictions of any nature would be viewed very seriously.

### 21 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 refused.

#### REASON FOR THE DECISION

Having regard to the Home Office Guidelines, the Sub-Committee was satisfied that the applicant was not a fit and proper person to hold a Private Hire Driver's Licence.

The Sub-Committee's primary concern was the length of time that had elapsed since the last offence, as the guidelines indicated that at least 3 years should pass for a conviction of violence and the Sub-Committee did not feel that it had sufficient grounds to depart from the provisions of the Guidance relating to the Relevance of Convictions.