

WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the meeting of the
MISCELLANEOUS LICENSING SUB-COMMITTEE
held in Committee Room One, Council Offices, Woodgreen, Witney, Oxon
at 10.00am on Thursday 11 June 2015

PRESENT

Councillors: N A MacRae MBE (Chairman); H B Eaglestone; E H James and G Saul

4. MINUTES

RESOLVED: that the minutes of the meetings of the Sub-Committee held on 9 March and 20 May 2015 be approved as correct records and signed by the Chairman.

5. APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

Apologies for absence were received from Mr M Brennan.

The Chief Executive reported the following temporary appointment:

Mr H B Eaglestone attended for Mr S J Good

6. DECLARATIONS OF INTEREST

There were no declarations of interest from Members or Officers relating to matters to be considered at the meeting.

7. PARTICIPATION OF THE PUBLIC

There was no public participation.

8. REVIEW OF STREET TRADING CONTROLS IN WEST OXFORDSHIRE

The report of the Shared Head of Public Protection and Regulation regarding an application for a Street Trading Consent was received and considered.

The Council's Licensing Officer introduced the report and advised that a letter had been received from the applicant responding to issues raised in the objection letter. Copies of the letter were circulated to those present. In addition it was confirmed that details of the proposed redevelopment near to the Woolgate Centre were still awaited.

The applicant, Mrs Rachael Pearson, advised that she had no further submission to make to the sub-committee.

Revd. Jason Boyd addressed the sub-committee on behalf of the Witney Congregational Church and advised that members of the church did not object to the business but there was concern that the proposed location would cause congestion, increased litter and risks to pedestrians.

Revd. Boyd in response to Mr MacRae advised that there was already a litter problem in the vicinity of the church and this could increase as a result of the application.

The Sub-Committee retired to consider the decision. During deliberations the sub-committee sought advice from the Licensing Officer regarding the renewal process if a licence was issued.

Having considered the report and the evidence presented at the meeting it was:

RESOLVED: That, the application for a Street Trading Consent be approved as submitted.

In advising of the decision the Chairman reminded those present that the licence was renewed on an annual basis but there was a review process if problems were reported and the matter could be reconsidered by the sub-committee.

(Mr James joined the meeting at this juncture.)

9. EXCLUSION OF THE PUBLIC

RESOLVED: That the Sub-Committee, being of the opinion that it was likely, in view of the nature of the business to be transacted, that if members of the public were present during the following item of business there would be a disclosure to them of exempt information as defined in Paragraph 1 of Schedule 12A to the Local Government Act 1972, the public be excluded from the meeting.

10. APPLICATION FOR A HACKNEY CARRIAGE DRIVER'S LICENCE

The Sub-Committee received and considered the report of the Shared Head of Public Protection and Regulation containing exempt information regarding an application for a Hackney Carriage Drivers Licence, copies of which had been circulated.

The Licensing Officer introduced her report and advised that the Disclosure and Barring Service check had been received and was clear.

The driver was then interviewed by the Sub-Committee.

In response to questions the driver clarified that they had previously been licenced by another authority and outlined the work they proposed to undertake in West Oxfordshire. The applicant advised that they had misunderstood a question on the application form relating to convictions for driving offences and apologised for the oversight.

At this point the Sub-Committee withdrew to determine the application and following discussion it was:-

RESOLVED: that a Hackney Carriage Drivers Licence be granted.

The public was then readmitted to the meeting and, in advising the applicant of the decision, the Chairman emphasised that any future actions resulting in an appearance before the Sub-Committee or failure to comply fully with the terms of the licence would jeopardise retention of the licence.

11. APPLICATION FOR A HACKNEY CARRIAGE DRIVER'S LICENCE

The Sub-Committee received and considered the report of the Shared Head of Public Protection and Regulation containing exempt information regarding an application for a Hackney Carriage Drivers Licence, copies of which had been circulated. It was noted that the application had been deferred from a previous meeting to enable officers to conduct further investigations into the circumstances of the driving offences.

The Licensing Officer introduced her report and advised that information had been clarified with DVLA and a printout relating to the driving licence had been received.

The applicant was then interviewed by the Sub-Committee.

The applicant presented the case for the issue of a licence, and provided details of the circumstances relating to the endorsements on the driving licence, driving history and type work they proposed to undertake in West Oxfordshire.

In response to questions the applicant advised that there was no record of who had been driving the vehicle at the time of the offence so, as the manager of the business, they had taken responsibility

Having considered the report and the evidence given by the applicant the Sub-Committee:

RESOLVED: that a Hackney Carriage Drivers Licence be granted.

The public was then readmitted to the meeting and, in advising the applicant of the decision, the Chairman emphasised that any future actions resulting in an appearance before the Sub-Committee or failure to comply fully with the terms of the licence would jeopardise retention of the licence.

12. REVIEW OF A PRIVATE HIRE DRIVER'S LICENCE

The Sub-Committee received and considered the report of the Shared Head of Public Protection containing exempt information regarding the review of a Private Hire Drivers Licence, copies of which had been circulated.

The Licensing Officer introduced her report and details of the endorsements were outlined.

The driver was then interviewed by the Sub-Committee and the driver presented the case for the retention of a licence, and provided details of the circumstances relating to the endorsements on the driving licence.

In response to questions the driver confirmed that they had been a licensed driver for nine years.

Having considered the report and the evidence given by the driver the Sub-Committee:

RESOLVED: That, in view of the evidence submitted by the driver and the fact that they had complied fully with their licence requirements, their Private Hire Driver's Licence be not suspended or revoked.

The public was then readmitted to the meeting and, in advising the applicant of the decision, the Chairman emphasised that any future actions resulting in an appearance before the Sub-Committee or failure to comply fully with the terms of the licence would jeopardise retention of the licence.

The meeting closed at 10:55am

CHAIRMAN