

WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the meeting of the  
**MISCELLANEOUS LICENSING SUB-COMMITTEE**  
held in Committee Room 2, Council Offices, Woodgreen, Witney, Oxon  
at 10.00am on Thursday 27 August 2015

PRESENT

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

25. MINUTES

**RESOLVED:** that the minutes of the meeting of the Sub-Committee held on 31 July 2015 be approved as a correct record and signed by the Chairman.

26. APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

Apologies for absence were received from Mr S J Good.

27. DECLARATIONS OF INTEREST

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

28. INTRODUCTION OF AN INTENDED USE POLICY FOR HACKNEY CARRIAGE VEHICLES

The Sub-Committee received and considered the report of the Shared Head of Public Protection and Regulation regarding the introduction of an intended use policy for hackney carriages. The Principal Licensing and Public Protection Officer outlined the potential difficulties that could arise in terms of observation and enforcement when hackney carriages worked in areas remote from that of the licensing authority and went on to explain the underlying rationale behind the proposed policy.

Members of the Sub-Committee emphasised the importance of ensuring the safety of the public and were particularly cognisant of the Council's role in safeguarding children and young people. The Principal Licensing and Public Protection Officer advised Members of the work being carried out on a countywide basis in this respect and the role he currently undertook. The Sub-Committee noted that this Officer was shortly to leave the Council to take up alternative employment and sought an assurance that appropriate arrangements would be put in place as a matter of urgency to ensure that this important aspect of the Council's responsibilities was not neglected.

It was noted that licence holders would only have to comply with the proposed Licensing Conditions if their hackney carriage was used to fulfil private hire journeys on behalf of a private hire operator not licensed by West Oxfordshire District Council.

Having expressed their support for the introduction of an intended use policy, Members gave consideration to the question as to what should be considered to constitute predominant use within the District and it was agreed that for this purpose commencing 80% of all journeys within the District would be considered evidence of predominant use.

**RESOLVED:** That the introduction of an intended use policy be approved on the basis and subject to the proposed conditions set out in the report and that, for the purpose of that policy, commencing 80% of all journeys within the District be considered to evidence predominant use.

29. 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.

30. REVIEW OF 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 the review of a Hackney Carriage Drivers Licence, copies of which had been circulated.

The Principal Licensing and Public Protection Officer introduced the application and the Chairman of the Sub-Committee outlined the process to be followed.

The driver was then interviewed by the Sub-Committee and invited to explain their failure to notify the Council of convictions for driving offences, the failure to declare those offences when applying for the renewal of the taxi driver's licence and the circumstances leading to the endorsements of their driving licence.

The driver apologised for failing to notify the Council of the convictions and indicated that they had misunderstood the nature of convictions that had to be declared. The Driver then went on to outline the circumstances of the offences to the best of their recollection.

In conclusion, the Driver gave details of recent events and personal circumstances in mitigation.

The Sub-Committee then withdrew to determine the application and following discussion it was:-

**RESOLVED:** That, in view of the failure to notify the Council of the convictions for driving offences as required by the terms of the licence, the failure to declare those offences when applying for the renewal of the taxi driver's licence and the number of endorsements of the driving licence, the Hackney Carriage Drivers Licence be suspended for a period of eight weeks.

The public was then readmitted to the meeting and advised of the decision.

31. MR RON SPURS

The Chairman advised that the Council's Principal Licensing and Public Protection Officer, Mr Ron Spurs, was shortly to leave the Council to take up alternative employment. He thanked Mr Spurs for his work on behalf of the Sub-Committee and the Council.

The meeting closed at 10:25am

CHAIRMAN