

WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the meeting of the
MISCELLANEOUS LICENSING SUB-COMMITTEE
held in Committee Room Two, Council Offices, Woodgreen, Witney, Oxon
at 10.00am on 6 July 2017

PRESENT

Councillors: N A MacRae MBE (Chairman). S J Good (Vice-Chairman), M Brennan, J C Cooper and E H James

10. MINUTES

RESOLVED: that the minutes of the meeting of the Sub-Committee held on 9 May 2017 be approved as a correct record and signed by the Chairman.

11. APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

There were no apologies for absence or temporary appointments.

12. DECLARATIONS OF INTEREST

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

13. PARTICIPATION OF THE PUBLIC

No submissions were received from the public in accordance with the Council's Rules of Procedure.

14. 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 items of business there would be a disclosure to them of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972 (Information relating to the financial or business affairs of any particular person (including the authority holding that information)), the public be excluded from the meeting.

15. APPLICATION FOR A HACKNEY CARRIAGE DRIVER'S LICENCE

The Sub-Committee received and considered the report of the Group Manager of Environmental and Regulatory Services regarding an application for a Hackney Carriage Driver's Licence.

The Licensing Officer introduced the report and the Council's Legal Advisor reminded Members that it was the role of the Sub-Committee to consider and determine whether, in view of the information contained within the report and that provided at the meeting, the licence holder was a fit and proper person to hold a Hackney Carriage Driver's Licence.

The applicant was then interviewed by the Sub-Committee and put forward his case for the grant of a licence.

Members expressed their concern that the applicant had not considered it sufficiently important to notify the Council of his unavailability to attend the previous meeting. In addition, given that a licensed driver could be faced with frustrating situations during the course of their employment, Members considered that the information contained in the appendix to the report, together with that provided by the applicant, cast doubt as to his suitability to hold a licence.

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

RESOLVED: That, having regard to the information contained in the report, together with that provided at the meeting, and in view of his failure to notify the Council of his unavailability to attend the previous meeting, the Sub-Committee did not consider that the applicant had demonstrated that he was a fit and proper person to hold a licence and determined that the application be refused.

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

16. REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE

The Sub-Committee received and considered the report of the Group Manager of Environmental and Regulatory Services regarding the review of a Hackney Carriage Driver's Licence.

The Licensing Officer introduced the report and details of the endorsements were outlined. The Council's Legal Advisor reminded Members that it was the role of the Sub-Committee to consider and determine whether, in view of the information contained within the report and that provided at the meeting, the licence holder remained a fit and proper person to hold a Hackney Carriage Driver's Licence.

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.

The Sub-Committee then withdrew to determine the application and, 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, no further action be taken and the Hackney Carriage 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 cautioned the applicant against accruing any further penalty points.

The meeting closed at 10:35am

CHAIRMAN