

GENERAL LICENSING SUB-COMMITTEE

MINUTES OF MEETING HELD ON TUESDAY, 2 NOVEMBER 2021

Present:

Councillor Heather Liggett (Chair)

Councillor Pat Antcliff
Councillor Michael Roe

Councillor Pat Kerry
Councillor Philip Wright

Also Present:

K Shillitto
C Terry
D Stanton

Solicitor & Deputy Monitoring Officer
Environmental Health Team Manager (Licensing)
Governance Officer

GLS/ Appointment of Chair for the Meeting

8/20-
21

RESOLVED – That Councillor H Liggett be appointed Chair for this meeting of the General Licensing Sub-Committee.

GLS/ Declarations of Interest

9/20-
21

There were no Declarations of Interest.

GLS/ Procedure for the Meeting

10/2

0-21

Members considered the procedure for determination of taxi and private hire matters.

GLS/ Matters of Urgency - Open Session

11/2

0-21

There were no matters of urgency at this meeting.

GLS/ Exclusion of Public

12/2

0-21

RESOLVED – That the public be excluded from the meeting during the discussion of the following item(s) of business to avoid the disclosure to them of exempt information as defined in Part 1 of Schedule 12A to the Local Government Act 1972 (as amended by the Local Government (Access to Information) (Variation) Order 2006.

GLS/ Report No EHM/02/21-22 - H - Sheffield

13/2

0-21

The Sub-Committee considered Report No EHM/02/21-22 in respect of Mr H, Sheffield. The purpose of the report was to enable Members to decide whether or not Mr H was a fit and proper person to hold a Hackney Carriage/Private Hire Vehicle Driver's License with North East Derbyshire District Council.

Mr H was present at the meeting, and confirmed he had received a copy of the report and understood the procedure to be followed. Mr H was accompanied by Mr N, Mr M and Mr F from the GMB Union.

The Sub-Committee heard that Mr H had applied to renew his Hackney Carriage/Private Hire Vehicle Driver's License. It was stated that an interim check on his license in February 2020, and a license check at the time of his renewal application in September 2021, had both identified driving offences which Mr H had failed to notify the Council of. Members were reminded that under the Council's Taxi Licensing Policy, the driver must notify the Council, within seven days, of any conviction for an offence or of any receipt of a fixed penalty imposed on him/her whilst the license was in force. There had also been a number of complaints made against Mr H in relation to his driving conduct.

Mr H and his representatives offered mitigations for his failure to notify the Council of his driving related offences, as well as some of the driving related complaints. Members noted that Mr H now kept a log to check and maintain his vehicle to a good standard, and that all of those incidents took place in the first year of his license with the subsequent two years showing a clean record.

The Licensing Manager asked Mr H to confirm that he had received a copy of his license conditions and understood his obligations as a license holder. The applicant was also asked to explain the nature of his driving related offences and to provide evidence of his mitigations in regards to failing to notify the Council of one of the offences.

The Licensing Manager made her closing submissions by stating that Mr H's pattern of behaviour was concerning, and that his version of events did not match the records held by the Licensing Team.

Mr H made his closing statement by explaining that he had learnt his lessons and apologised for the mistakes he had made. Members heard that the offences and complaints had occurred during his first year as an inexperienced license holder, and that there had been no further incidents in the remaining two years. Mr H argued that he was fit and proper to continue to hold a license, and had completed a number of additional driving courses.

Mr H, his representatives, and the Licensing Manager were requested to withdraw from the meeting whilst the Sub-Committee discussed the application.

The Sub-Committee discussed the application.

All parties were invited back to the meeting and advised of the below decision.

RESOLVED – That Mr H be GRANTED a Private Hire/Hackney Carriage License for a period of 18 months on the condition that the knowledge test was retaken and passed.

14/2

0-21

The Sub-Committee considered Report No EHM/03/21-22 in respect of Mr A, Sheffield. The purpose of the report was to enable Members to decide whether or not Mr A was a fit and proper person to hold a Hackney Carriage/Private Hire Vehicle Driver's License with North East Derbyshire District Council.

Mr A was present at the meeting, and confirmed he had received a copy of the report and understood the procedure to be followed.

Members heard that at the time of the application, Mr A had declared that he had lived outside of the UK until 2015, and was unable to produce a certificate of good conduct. He had, however, signed a statutory declaration. Mr A was also a licensed taxi driver for Bolsover District Council since 2018 with no reports of concern against his license.

Mr A explained that he was unable to produce a certificate of good conduct due to his home country being in a state of war. Members were informed that he wished to obtain a license from North East Derbyshire District Council so he could begin work with an operator based in North East Derbyshire.

Mr A and the Licensing Manager were requested to withdraw from the meeting whilst the Sub-Committee discussed the application.

The Sub-Committee discussed the application.

All parties were invited back to the meeting and advised of the below decision.

RESOLVED – That Mr A be GRANTED a Private Hire/Hackney Carriage License.

GLS/ Report No EHM/04/21-22 - N - Sheffield

15/2

0-21

The Sub-Committee considered Report No EHM/04/21-22 in respect of Mr N, Sheffield. The purpose of the report was to enable Members to decide whether or not Mr N was a fit and proper person to hold a Hackney Carriage/Private Hire Vehicle Driver's License with North East Derbyshire District Council.

Mr N was present at the meeting, and confirmed he had received a copy of the report and understood the procedure to be followed. Mr N was accompanied by Mr L from the GMB Union.

The Sub-Committee heard that at the time of his initial application the applicant applied for a Disclosure and Barring Service Check (DBS). The check had revealed a number of offences which had taken place over 13 years ago.

Mr N explained the circumstances surrounding his convictions and that he was a juvenile at the time. The applicant had not received any further convictions since the age of 15, and had since worked for the family business and was soon to be married. Mr N was deeply embarrassed by the convictions

and was now not involved with any of his friends from school.

Mr N, his representative, and the Licensing Manager were requested to withdraw from the meeting whilst the Sub-Committee discussed the application.

The Sub-Committee discussed the application.

All parties were invited back to the meeting and advised of the below decision.

RESOLVED – That Mr N be GRANTED a Private Hire/Hackney Carriage License.

GLS/ Matters of Urgency - Closed Session

16/2

0-21 There were no matters of urgency at this meeting.