

GENERAL LICENSING SUB-COMMITTEE

MINUTES OF MEETING HELD ON TUESDAY, 10 OCTOBER 2023

Present:

Councillor Carol Lacey (Chair) (in the Chair)

Councillor Fran Petersen

Councillor Richard Welton

Also Present:

C Terry	Environmental Health Team Manager (Licensing)
L Ingram	Legal Team Manager & Deputy Monitoring Officer
S Crossland	Licensing Support Officer
A Maher	Governance Manager
A Bond	Governance Officer

GLS/ Appointment of Chair for the Meeting

21/2

3-24 **RESOLVED** – That Cllr C Lacey be appointed Chair for this meeting of the General Licensing Sub-Committee.

GLS/ Declarations of Interest

22/2

3-24 There were no declarations of interest.

GLS/ Taxi Procedure for the Meeting

23/2

3-24 Members considered the procedure for determination of taxi and private hire matters.

GLS/ CCTV Procedure for the Meeting

24/2

3-24 Members considered the procedure for determination of exemption from the requirement to install CCTV in licensed vehicles.

GLS/ Matters of Urgency - Open Session

25/2

3-24 There were no matters of urgency at this meeting.

GLS/ Exclusion of Public

26/2

3-24 **RESOLVED** – That the public be excluded from the meeting during the discussion of the following items of business to avoid the disclosure to them of exempt information as defined in Paragraphs 1 & 3, Part 1 of Schedule 12A to the Local Government Act 1972 (as amended by the Local Government (Access to Information (Variation) Order 2006).

GLS/ CCTV Exemption Report - Mr S - Sheffield

27/2

3-24

The Sub-Committee considered the report in respect of Mr S, Sheffield. The purpose of the report was to consider whether to grant an exception from complying with the requirements of the Taxi Licensing Policy: Hackney Carriage and Private Hire Vehicle (CCTV Supplement).

Mr S 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 on 8 December 2022 Mr S had requested an exemption from the requirements to have CCTV installed. This request was considered by the Licensing Sub-Committee on 18 April 2023. At that meeting of the Sub-Committee Mr S revealed that he undertook approximately 20% non-executive work, and his request was refused.

Following on from that meeting, Mr S agreed and has provided written confirmation that he would no longer carry out non-executive transportation work in his vehicle.

A check of the applicant's history has been completed. The check revealed that Mr S has held an exemption from the requirement to display plates on his vehicles since March 2020. The check revealed no further information relevant to this request.

Mr S explained that he solely undertook executive work and many of his clients relied on discretion and secrecy. He presented Sub-Committee with a copy of Non-Disclosure Agreements between himself and his clients.

Mr S and the two licensing Officers were requested to withdraw from the meeting whilst 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 the General Licensing Sub-Committee grants the exception.

GLS/ CCTV Exemption Report - Ms H - Eckington

28/2

3-24

The Sub-Committee considered the report in respect of Ms H, Eckington. The purpose of the report was to consider whether to grant an exception from complying with the requirements of the Taxi Licensing Policy: Hackney Carriage and Private Hire Vehicle (CCTV Supplement).

Ms H was present at the meeting, and confirmed she had received a copy of the report and understood the procedure to be followed.

A check of the applicant's history has been completed. The check revealed that vehicles operated by the applicant do not currently hold exceptions from

the requirement to display plates on vehicles. The check revealed that Ms H previously worked for another operator before applying to become her own operator in 2023.

Ms H explained that she only undertook two contracts four days a week, as well as one contract on a Saturday night. She informed Sub-Committee that some of her clients had special educational needs and would be distressed by the presence of a camera.

Ms H and the two licensing Officers were requested to withdraw from the meeting whilst 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 the General Licensing Sub-Committee adjourn the meeting until a future date in order to allow the applicant to provide further evidence to Sub-Committee.

GLS/ Report No LTL/06/23-24 - Mr A - Sheffield

29/2

3-24

The Sub-Committee considered Report No LTL/06/23-24 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 Licence 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. Mr A was accompanied by Ms H, the Site Manager of City Taxis.

Sub-Committee were made aware that on 9th September 2023, the Council had received a complaint alleging that Mr A had previously held a Private Hire and Hackney Carriage Drivers Licence with Chesterfield Borough Council and that his licence had been revoked for safeguarding reasons.

On 11 September 2023, the following checks were conducted: A search of the National Anti-Fraud Network's Register of Revocations and Refusals, a Disclosure and Barring Service update check, and an Internal Check of the driver application and history. The checks showed that information in relation to the alleged incident had not been disclosed by the DBS on the DBS certificate, was not disclosed by the driver on the driver's application form and was not recorded on NAFN.

Mr A offered mitigations for his failure to disclose the incident to the Council and explained that he had not correctly understood certain questions on the application.

Mr A, Ms H and the two licensing Officers 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 have his Private Hire/Hackney Carriage Licence revoked.

GLS/ Matters of Urgency - Closed Session

30/2

3-24 There were no matters of urgency.