

Medway Council
Meeting of Licensing Sub-Committee of Licensing and
Safety Committee

Friday, 7 August 2015

2.30pm to 2.50pm

Record of the meeting

Subject to approval as an accurate record at the next meeting of this committee

Present: Councillors: Bhutia, Carr, Mrs Diane Chambers, Fearn and McDonald

Substitute: Councillor Bowler for Councillor Godwin

In Attendance: Mr H, applicant
Mandy Francis, Senior Licensing and Enforcement Officer
Vicky Nutley, Planning and Licensing Lawyer
Stephen Platt, Democratic Services Officer

185 Election of Chairman and Vice-Chairman

Decision:

It was agreed that Councillor Mrs Chambers be elected Chairman and Councillor Carr be appointed as Vice Chairman of the Sub-Committee for the 2015/2016 municipal year.

186 Record of meeting

The record of the meeting held on 31 May 2013 was agreed and signed by the Chairman as a correct record.

187 Apologies for absence

Apologies for absence were received from Councillors Godwin and Hall.

188 Urgent matters by reason of special circumstances

There were none.

189 Declarations of disclosable pecuniary interests and other interests

Disclosable pecuniary interests

There were none.

Other interests

There were none.

190 Exclusion of the press and public

Decision:

That the press and public are excluded from the meeting during consideration of agenda item 7 because consideration of this matter in public would disclose information falling within paragraphs 1, 2 and 5 of Part 1 of Schedule 12A to the Local Government Act 1972 as specified in agenda item 6 and the Sub-Committee considered that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

191 Review of Hackney Carriage Driver's Licence

Discussion:

The Senior Licensing and Enforcement Officer asked the Sub-Committee to consider Mr H's appeal against the decision to refuse to renew his hackney carriage driver's licence.

The Sub-Committee was advised that the Licensing Unit had received an application from Mr H to renew his hackney carriage driver licence and that on the application he had declared an offence for which he had been convicted. As part of the renewals process, the Council had obtained a Disclosure and Barring Services disclosure which recorded this conviction but also others that had not been declared by Mr H.

The Senior Licensing and Enforcement Officer presented her report to the Sub-Committee, highlighting the very high standards that the Council expected from its licensed drivers. She referred Members to the full details of Mr H's offences set out in Appendix C to the agenda report. Mr H addressed the Sub-Committee to make representations in mitigation.

Both parties to the hearing left the room and the Sub-Committee considered the matter taking into account all written representations and those made at the hearing by the Senior Licensing and Enforcement Officer and by Mr H.

Decision:

Mr H was advised that Medway Council expects high standards from its licensed drivers. The Sub-Committee was satisfied that Mr H did not present a risk to the travelling public but was concerned that he had failed to notify the Council of all of his convictions.

Having regard to all the information and evidence before it, the Sub-Committee agreed to renew Mr H's hackney carriage driver's licence for a period of 1 year.

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After this period, if no cause for concern arose during the renewal process, Mr H would be issued with a standard three year licence. The Sub-Committee further agreed that a written warning be placed on Mr H's record.

Chairman

Date:

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