

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

Friday, 10 March 2017

2.30pm to 3.15pm

Record of the meeting

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

Present: Councillors: Carr (Vice-Chairman), Mrs Diane Chambers (Chairman), Kemp and McDonald

Substitutes: Councillors:
Bowler (Substitute for Godwin)
Griffin (Substitute for Fearn)
Hicks (Substitute for Bhutia)

In Attendance: Mr H, Appellant
Mr H, Appellant's friend
James Bilsland, Assistant Head of Legal - Place
Mandy Francis, Principal Licensing and Enforcement Officer
Stephen Platt, Democratic Services Officer

801 Apologies for absence

Apologies were received from Councillors Bhutia, Fearn and Godwin.

802 Record of meeting

The record of the meeting held on 9 December 2016 was agreed and signed by the Chairman as correct.

803 Urgent matters by reason of special circumstances

There were none.

804 Declarations of disclosable pecuniary interests and other interests

Disclosable pecuniary interests

There were none.

Other interests

There were none.

805 Exclusion of the press and public

The press and public were excluded from the meeting during consideration of agenda item 6 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 5 (Exclusion of Press and Public) and, in all the circumstances of the case, the Sub-Committee considered that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

806 Appeal against the refusal of an application for a private hire driver licence

Discussion:

The Principal Licensing and Enforcement Officer requested that the Sub-Committee consider the information and evidence in her report and determine Mr H's appeal against the decision to refuse his applications for a private hire driver licence for home to school transport contract work and a private hire driver licence.

The Sub-Committee was advised that the disclosure from the Disclosure and Barring Service (DBS), obtained with the consent of the driver as part of the application process, showed a police caution which Mr H had not declared in his applications. In presenting her report, the Principal Licensing and Enforcement Officer highlighted the very high standard that Medway Council expected from its licensed drivers.

Mr H addressed the Sub-Committee to make representations in mitigation and responded to questions from the Principal Licensing and Enforcement Officer and members of the Sub-Committee.

Both parties to the hearing left the room and the Sub-Committee considered the matter in private.

Decision:

After careful consideration of the written evidence and the representations made at the meeting by the Principal Licensing and Enforcement Officer and Mr H, the Sub-Committee determined that Mr H be granted a private hire driver licence for home to school transport contract work and a private hire driver licence, subject to him fulfilling the application requirements. The licences would be for a period of one year after which Mr H would need to re-apply. Subject to any complaints to, or concerns by, the Licensing Unit during the year, it was anticipated that Mr H's licences would be renewed upon re-application when his current history of convictions would not be taken into consideration.

Licensing Sub-Committee of Licensing and Safety Committee, 10 March 2017

Chairman

Date:

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