

# Agenda

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## Hackney Carriages and Private Hire Licensing Sub Committee

Date: **Monday 1 June 2015**

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Time: **5.30 pm**

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Place: **Barrister's Room - Town Hall**

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For any further information please contact:

**Catherine Phythian, Committee and Member Services Officer**

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As a matter of courtesy, if you intend to record the meeting please let the Contact Officer know how you wish to do this before the start of the meeting.

# Hackney Carriages and Private Hire Licensing Sub Committee

## Membership

Councillor Colin Cook  
Councillor Mary Clarkson  
Councillor Gwynneth Royce

### **HOW TO OBTAIN A COPY OF THE AGENDA**

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# AGENDA

Pages

## PART ONE PUBLIC BUSINESS

### 1 ELECTION OF CHAIR FOR THE COUNCIL YEAR 2015/16

The Hackney Carriages and Private Hire Sub-Committee elects Councillor .... to be the Chair for the Council Year 2015/16.

### 2 ELECTION OF VICE-CHAIR FOR THE COUNCIL YEAR 2015/16

The Hackney Carriages and Private Hire Sub-Committee elects Councillor .... to be the Vice Chair for the Council Year 2015/16.

### 3 APOLOGIES FOR ABSENCE

### 4 PROCEDURE TO BE FOLLOWED AT THE MEETING

7 - 26

Procedure and guidance note on the relevance of convictions adopted by the Council for dealing with cases to be considered by the Sub Committee

### 5 DECLARATIONS OF INTEREST

### 6 MINUTES

27 - 28

Minutes from 27 April 2015

**Recommendation:** That the minutes of the meeting held on 27 April 2015 be APPROVED as a true and accurate record.

### 7 MATTERS EXEMPT FROM PUBLICATION

If the Sub-Committee wishes to exclude the press and the public from the meeting during consideration of any aspects of the preceding or following agenda items it will be necessary for the Sub-Committee to pass a resolution in accordance with the provisions of Section 100A(4) of the Local Government Act 1972 specifying the grounds on which their presence could involve the likely disclosure of exempt information as described in specific paragraphs of Part 1 of Schedule 12A of the Act.

The Sub-Committee may maintain the exemption if and so long as, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

**PART II**  
**EXEMPT BUSINESS**

- |           |   |         |
|-----------|---|---------|
| <b>8</b>  | <b>CONFIDENTIAL MINUTES</b>   | 29 - 32 |
|           | Confidential Minutes from 27 April 2015   |         |
|           | <b><u>Recommendation:</u></b> That the confidential minutes of the meeting held on 27 April 2015 be APPROVED as a true and accurate record. |         |
| <b>9</b>  | <b>SUITABILITY TO CONTINUE TO DRIVE PRIVATE HIRE VEHICLES AND HOLD A PRIVATE HIRE VEHICLE LICENCE IN LIGHT OF A CAUTION</b>                 | 33 - 52 |
|           | Report of the Head of Environmental Development attached.   |         |
| <b>10</b> | <b>SUITABILITY TO CONTINUE TO DRIVE PRIVATE HIRE VEHICLES IN LIGHT OF RECENT CONVICTIONS</b>  | 53 - 60 |
|           | Report of the Interim Head of Environmental Development attached.   |         |
| <b>11</b> | <b>SUITABILITY TO CONTINUE TO DRIVE PRIVATE HIRE VEHICLES IN LIGHT OF RECENT CONVICTIONS</b>  | 61 - 70 |
|           | Report of the Interim Head of Environmental Development attached.   |         |
| <b>12</b> | <b>APPLICATION TO DRIVE PRIVATE HIRE VEHICLES</b>   | 71 - 80 |
|           | Report of the Interim Head of Environmental Development attached.   |         |
| <b>13</b> | <b>DATES OF FUTURE MEETINGS</b>   |         |
|           | The Sub-Committee NOTES the following future meeting dates:   |         |
|           | 5pm Monday 13 July (if needed)  |         |
|           | 5pm Monday 24 August (if needed)  |         |
|           | 5pm Monday 5 October (if needed)  |         |
|           | 5pm Monday 16 November (if needed)  |         |

## **DECLARING INTERESTS**

### **General duty**

You must declare any disclosable pecuniary interests when the meeting reaches the item on the agenda headed "Declarations of Interest" or as soon as it becomes apparent to you.

### **What is a disclosable pecuniary interest?**

Disclosable pecuniary interests relate to your\* employment; sponsorship (ie payment for expenses incurred by you in carrying out your duties as a councillor or towards your election expenses); contracts; land in the Council's area; licences for land in the Council's area; corporate tenancies; and securities. These declarations must be recorded in each councillor's Register of Interests which is publicly available on the Council's website.

### **Declaring an interest**

Where any matter disclosed in your Register of Interests is being considered at a meeting, you must declare that you have an interest. You should also disclose the nature as well as the existence of the interest.

If you have a disclosable pecuniary interest, after having declared it at the meeting you must not participate in discussion or voting on the item and must withdraw from the meeting whilst the matter is discussed.

### **Members' Code of Conduct and public perception**

Even if you do not have a disclosable pecuniary interest in a matter, the Members' Code of Conduct says that a member "must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself" and that "you must not place yourself in situations where your honesty and integrity may be questioned". What this means is that the matter of interests must be viewed within the context of the Code as a whole and regard should continue to be paid to the perception of the public.

\*Disclosable pecuniary interests that must be declared are not only those of the member her or himself but also those of the member's spouse, civil partner or person they are living with as husband or wife or as if they were civil partners.

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## HACKNEY CARRIAGES AND PRIVATE HIRE LICENSING SUB COMMITTEE

**Monday 27 April 2015**

**COUNCILLORS PRESENT:** Councillors Cook (Chair), Clarkson and Royce.

**OFFICERS PRESENT:** Julian Alison (Licensing Team Leader), Jeremy Franklin (Law and Governance), Anna Kieca (Licensing Technical Officer) and Jennifer Thompson (Law and Governance)

### **86. APOLOGIES FOR ABSENCE**

There were no apologies.

### **87. DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **88. PROCEDURE TO BE FOLLOWED AT THE MEETING**

The Sub-Committee resolved to NOTE the Council's procedure and guidance note on the relevance of convictions.

### **89. MINUTES**

The Sub-Committee resolved to APPROVE the minutes of the meeting held on 30 March 2014 as a true and accurate record.

### **90. MATTERS EXEMPT FROM PUBLICATION**

The Sub-Committee resolved that under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting for the remaining items of business on the grounds on which their presence could involve the likely disclosure of exempt information as described in paragraph 3 of Part 1 of Schedule 12A of the Act.

The Sub-Committee considered four cases relating to hackney carriage and private hire licenses in private with decision as set out in the following minutes.

### **91. CONFIDENTIAL MINUTES**

The Sub-Committee resolved to APPROVE the confidential minutes of the meeting held on 30 March 2014 as a true and accurate record subject to correcting Minutes 81 and 82 to show that Councillor Royce was not present during these cases.

**92. SUITABILITY TO CONTINUE TO DRIVE HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES IN LIGHT OF RECENT CONVICTIONS**

The Sub Committee resolved to REVOKE the licence holder's private hire and hackney carriage driver's licence in light of recent convictions.

**93. SUITABILITY TO CONTINUE TO DRIVE HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES AND HOLD A PRIVATE HIRE VEHICLE LICENCE IN LIGHT OF A RECENT CONVICTION.**

The Sub Committee resolved to give a final warning about future conduct in light of a recent conviction but not to revoke the private hire and hackney carriage driver's licence.

**94. SUITABILITY TO CONTINUE TO DRIVE PRIVATE HIRE VEHICLES AND HOLD A PRIVATE HIRE VEHICLE LICENCE IN LIGHT OF A CAUTION.**

The Sub Committee deferred this case to the next meeting as the licence holder was not present.

**95. SUITABILITY TO CONTINUE TO DRIVE PRIVATE HIRE VEHICLES AND HOLD A PRIVATE HIRE VEHICLE LICENCE IN LIGHT OF A RECENT CAUTION**

The Sub Committee resolved to give a final warning about future conduct in light of a recent conviction but not to revoke the private hire and hackney carriage driver's licence.

**96. DATES OF FUTURE MEETINGS**

The next meeting is scheduled for  
1 June 2015 (if needed)

**The meeting started at 5.30 pm and ended at 6.45 pm**



# Agenda Item 7

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