

# Licensing Committee

## Minutes

Monday, 08 June 2015 at 18:30

PRESENT:

Councillor Jermay (in the Chair); Councillors Connell, M Coleman, Fairhead, Grant, Lawn, Mavroudis, Robinson-Payne and H Wainwright.

Councillor Pratt attended as a substitute for Councillor Davis.

Councilor T Wainwright attended as a substitute for Councillor Wright.

Mr D Lowens (Solicitor, nplaw)

Mrs D Harvey and Mrs C Webb (GYBC Officers)

### **1 DECLARATIONS OF INTEREST**

There were no Declarations of Interest declared at the meeting.

### **2 APOLOGIES FOR ABSENCE**

Apologies for absence had been received from Councillors Davis, Rodwell, Stenhouse & Wright.

### **3 MINUTES**

### **4 APPLICATION FOR A FIRST CLASS HACKNEY CARRIAGE DRIVER'S LICENCE**

The Committee considered the comprehensive report from the Licensing Officer as laid out in the agenda.

The Chairman asked the applicant if he was aware that he could have legal representation at Committee. The applicant reported that he had been informed but had chosen not to.

The applicant had indicated that he had been unable to obtain a Certificate of Good conduct from his home country of Iraq.

The applicant had informed the Licensing Officer that he had resided in the UK for twelve years and had mostly worked as a factory operative but wished to secure work

as a taxi driver to give him more flexibility in his working hours.

The applicant and officers left the meeting to allow the Committee to deliberate.

Members were minded to approve the application as they felt that the applicant should be given the opportunity to change careers.

The applicant and officers returned to the meeting to hear the decision of the Committee.

RESOLVED:

That the application be granted.

## **APPLICATION FOR A FIRST CLASS HACKNEY CARRIAGE DRIVER'S LICENCE**

### **5 APPLICATION FOR A FIRST CLASS HACKNEY CARRIAGE DRIVER'S LICENCE**

The Committee considered the comprehensive report from the Licensing Officer as laid out in the agenda.

The Chairman asked the applicant whether he had been informed that he was entitled to have legal representation at Committee. The applicant reported that he was aware but had chosen not to.

The Committee was informed that the applicant had indicated that he was unable to obtain a Certificate of Good Conduct from his home country of Iraq. The applicant had informed the Licensing Officer that he had resided in the UK for seven years.

The Chairman asked the applicant why he wished to embark on a career as a taxi driver. The applicant reported that he wished to become self-employed and work hours to suit his family commitments.

A Member asked whether the applicant had a position lined up with a local taxi firm. The applicant reported that he did not.

A Member asked what work the applicant carried out at the present time. The applicant reported that he worked in a Kebab shop.

The applicant and officers left the meeting to allow the Committee to deliberate.

Members felt that the licence should be granted as the applicant deserved a chance to change employment to support his family.

The applicant and officers returned to the meeting to hear the decision of the Committee.

RESOLVED:

That the application be granted.

## **APPLICATION FOR A FIRST CLASS HACKNEY CARRIAGE DRIVER'S LICENCE**

### **6 APPLICATION FOR A FIRST CLASS HACKNEY CARRIAGE DRIVER'S LICENCE**

The Committee considered the comprehensive report from the Licensing Officer as set out in the agenda.

The applicant reported that she had chosen to have two representatives appear at the Committee with her.

The Chairman asked the applicant why they wished to become a taxi driver. The applicant reported that this would help to supplement the income of the mobile phone business which she ran with her partner out of the same premises as the taxi firm she had secured a position with.

One of the applicant's representatives, who was her prospective employer, reported that the applicant had been open and honest with him regarding her criminal conviction and he had still urged her to apply for a licence.

The Licensing and Elections Manager reported that the conviction would be spent on 22/10/2022.

The applicant, her representatives and officers left the meeting to allow the committee to deliberate.

A Member reported that she was concerned at how the applicant could react in a stressful situation with a customer.

Another Member felt that a licence should not be granted as this was only a secondary income.

Other Members felt that the applicant was probably only scraping a living from her mobile phone company and had only received her conviction as a result of being threatened in her own home and should be given the benefit of the doubt.

The applicant, her representatives and the officers returned to the meeting to hear the decision of the Committee.

Following a majority decision, it was RESOLVED:

That the application be granted.

## **APPLICATION FOR A FIRST CLASS HACKNEY DRIVER'S LICENCE**

### **7 APPLICATION FOR A FIRST CLASS HACKNEY CARRIAGE DRIVER'S LICENCE**

The Committee considered the comprehensive report from the Licensing Officer as set out in the agenda.

The Chairman asked the applicant whether he was aware that he could have legal representation at Committee. The applicant reported that he was aware but had

chosen not to.

The Licensing and Elections Manager reported that the conviction would be spent on 06/03/2020.

The Chairman asked the applicant to give the Committee a good reason as to why the Committee should reinstate his licence.

The applicant reported that the charges brought against him were false and that he was innocent.

A Member asked the applicant whether he was still with his partner. The applicant responded that they were still together.

The applicant and the officers left the meeting to allow the Committee to deliberate.

Some Members highlighted the fact that although Social Services had been involved after the allegation, no further action had been taken and the children were still resident at their home address.

A Member asked whether the applicant would still be excluded from carrying out school runs if his licence was reinstated.

The Chairman reported that if the Committee reinstated his licence, the applicant would still have to approach Norfolk County Council to have his school badge reinstated.

A Member reported that the applicant had been charged with carrying out a sexual act with his partner, with whom he was still together, and that this did not make him a threat to public safety and he would therefore, be happy to propose that his licence be reinstated.

The applicant and officers returned to the meeting to hear the decision of the Committee.

Members were divided in their feelings, however, following a majority decision, with one abstention, it was RESOLVED:

That the licence be reinstated and no further action be taken.

## **APPLICATION FOR A FIRST CLASS HACKNEY CARRIAGE DRIVER'S LICENCE**

### **8 FARE INCREASE FOR LANDAU OPERATORS**

The Committee considered the comprehensive report from the Licensing Officer as detailed in the agenda.

The Licensing and Elections Manager reported that Landau operators had submitted a proposal for a fare increase of £2.00 for a single trip which would increase to £10.00. Landau fares had not been increased since 2006. The increase had been requested by nine of the eleven landau operators and all the plate holders had been consulted and no comments received.

The Licensing and Elections Manager reported that if the Committee approved the fare increase, the new fares would have to be advertised in the local press to see if there were any objections to the proposals. If no objections were received, the fares would come into effect after the expiry of the objection period.

A representative of the landau drivers reported the reasons behind the request for a fare increase which would help to cover the increase in vets fees, farrier services and feed.

Members felt that the price increase was acceptable as the last fare increase had been nine years ago and were therefore minded to approve the application.

RESOLVED:

That the Committee approve the request.

## **9 EXCLUSION OF PUBLIC**

The meeting ended at: 19:35