

Licensing Sub-Committee – Meeting held on Tuesday, 19th April, 2016.

Present:- Councillors Davis (Chair), Malik and Munawar

Officers Present:- Mick Sims, Licensing Manager
Nicola Keegan, Licensing Officer

Apologies for Absence:- None.

PART 1

19. Declarations of Interest

None.

20. Guidance on Predetermination/ Predisposition - To Note

Members confirmed that they had read and understood the guidance on predetermination and predisposition.

21. Minutes of the Last Meeting held on 20th January 2016

Resolved - That the minutes of the meeting held on 20th January, 2016, be approved as a correct record.

22. Exclusion of the Press and Public

Resolved – That the press and public be excluded from the remainder of the meeting as the items to be considered contained exempt information relating to individuals as defined in Paragraph 1 of Part I of Schedule 12A to the Local Government Act 1972 (as amended).

23. Private Hire Driver Application (Grant) Hearing- (Reference 05-15)

The Following is a Part 1 summary of the case:

The Licensing Sub-Committee was asked to consider whether Applicant (Reference 05-15) was a fit and proper person to hold a Private Hire Driver's licence in Slough. The Applicant did not attend the hearing.

The Licensing Manager summarised the background to the case and discussed the relevant Policy and Legislative considerations. He advised Members that the Sub-Committee could only allow an Applicant to hold a Private Hire Driver's Licence if it was satisfied that the applicant was a 'fit and proper' person to do so.

The Sub-Committee was advised that the Applicant had submitted an application for a Private Hire Driver's Licence in Slough, in July, 2015 but had

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failed to declare on the application form that he had received a caution in October, 2014, from Thames Valley Police. This was confirmed in January 2016, when the Applicant attended the Licensing office to produce his Disclosure and Barring Service Certificate. In the circumstances the application was referred to the Licensing Sub-Committee for determination.

The Licensing Officer submitted that, in light of the failure to declare the caution which was received due to violent behaviour, the Applicant was not deemed to be a safe person to hold a Private Hire Driver's licence in Slough and recommended that the application be rejected.

The Sub-Committee was advised that the Applicant had signed the application form in the knowledge that he would be would be liable to prosecution if he knowingly or recklessly 'omitted any material particular.' He also had ticked the box confirming that he had received a policy booklet. It was also noted that the caution was not 'spent' and therefore must still be taken into account. The undeclared caution related to an offence of a violent nature and therefore was relevant to whether the Applicant was a fit and proper person and if the licence applied for should be granted.

The Sub-Committee adjourned to reach its decision and carefully considered the evidence. Having regard to the available evidence, the Sub-Committee was not satisfied that the Applicant was a fit and proper person to hold a licence in Slough.

Resolved - That the Private Hire Driver's application (ref 05-15) Licence be rejected.

Chair

(Note: The Meeting opened at 10.00 am and closed at 10.40 am)