

Licensing Sub-Committee – Meeting held on Thursday, 9th January, 2020.

Present:- Councillors S Parmar(Chair) M Holledge and Sharif.

Officers Present:- Mrs Kauser (Democratic Services), Mr Lucas (Legal Services) and Mr Sims (Licensing Manager)

PART 1

13. Declarations of Interest

None declared.

14. Guidance on Predetermination/ Predisposition - To Note

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

15. Minutes of the Last Meeting held on 14th November 2019

Resolved – That the minutes of the meeting held on 11th November 2019 be approved as a correct record.

16. Exclusion of the Press and Public

Resolved – That the press and public be excluded from the remainder of the meeting as the item 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)

17. Private Hire Driver Conduct Hearing (Appellant Reference 03-19)

All parties were welcomed to the meeting and the procedure for the hearing was outlined. The Appellant confirmed that he had received a copy of the paperwork prior to the hearing.

The Licensing Manager detailed the reasons why the matter had been referred to the Sub-Committee and due to the seriousness of the matter, a recommendation to revoke the Appellant's private hire driver licence was being recommended. It was noted that the Appellant had been arrested on suspicion of being involved in offences of Causing Grievous Bodily Harm, Kidnap and Failure to Stop a Vehicle when required to do so. It was brought to Members attention that in April 2019, criminal proceedings against the Appellant had been closed as the victim no longer supported the prosecution.

Options available were outlined and Members were reminded of the relevant policy and legislation framework.

Licensing Sub-Committee - 09.01.20

The Appellant informed the meeting that he had no knowledge of what was about to take place in his vehicle and that he had attempted to help the victim. It was noted that apart from this incident, there had been no other complaints relating to the Appellant in relation to his work as private hire driver (PHD). It was submitted that he should continue to hold a PHD licence as he had no involvement with the incident.

Sub-Committee Members asked a number of questions, including why he had failed to stop when requested to do so by the police. The Appellant explained that the occupants in the vehicle hadn't allowed him to stop immediately and that he did so as soon as he was able to. The Appellant confirmed that he knew one of the occupants but had he known what was about to occur he wouldn't have provided him with a lift.

Following a brief summary by the Licensing Manager and Appellant, the parties were asked to leave the meeting whilst the Sub-Committee deliberated.

Resolved - That in the interests of public safety Appellant 03-19's private hire driver licence be revoked with **immediate effect** in accordance with Section 61(1)(b) of the Local Government (Miscellaneous Provisions) Act 1976.

Chair

(Note: The Meeting opened at 10.40 am and closed at 11.36 am)