

MINUTES OF A MEETING OF THE LICENSING AND APPEALS COMMITTEE
HELD IN THE COUNCIL CHAMBER, COUNCIL OFFICES, CORKS LANE,
HADLEIGH ON TUESDAY 20 SEPTEMBER 2011 (11 a.m.)

PRESENT:

Mr J R B Cave
Mr D G Grutchfield
Mr P Jones

Mr R W Thake
Mr L H Young

Also in attendance to make representations were:-

Mr L Carvell (Licensing Section)
The Applicant

1 ELECTION OF CHAIRMAN

RESOLVED

That Mr P Jones be elected Chairman for the hearing.

2 DECLARATION OF INTERESTS

None declared.

3 QUESTIONS FROM MEMBERS

None received.

4 EXCLUSION OF THE PUBLIC (WHICH TERM INCLUDES THE PRESS)

RESOLVED

That pursuant to Part 1 of Schedule 12A of the Local Government Act 1972, the public be excluded from the meeting for the business specified below on the grounds that if the public were present during this item it is likely that there would be the disclosure to them of exempt information as indicated against the item.

The Committee was also satisfied that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

5 REVIEW OF A COMBINED HACKNEY CARRIAGE/PRIVATE HIRE DRIVER LICENCE AND A PRIVATE HIRE OPERATOR LICENCE (Exempt information by virtue of Paragraphs 1 and 7 of Part 1)

The Chairman of the Committee referred to the Procedure to be followed at the hearing, a copy of which had been circulated with the Agenda.

The Head of Natural and Built Environment submitted a report ([Paper L68](#)) seeking a review of an existing Combined Hackney Carriage/Private Hire Driver's Licence and an existing Private Hire Operators Licence for the person referred to in the report. The combined Hackney Carriage/Private Hire Driver's Licence for the driver had been suspended by the Head of Natural and Built Environment with effect from 24 August 2011 under his delegated authority.

Following the presentation Members questioned the Licensing Officer.

The licence holder then made an opening address. Members and the Licensing Officer then questioned him.

All parties were requested to provide closing comments to the meeting following which they withdrew to enable the Committee to deliberate the application.

Members in reviewing whether there was sufficient reasonable cause to suspend or revoke the licences took into account all available information and balanced the rights of the applicant against the wider public interest and its duty relating to public safety.

The parties were then called back into the meeting and the decision (which was a majority one) of the Committee was notified.

RESOLVED

- (1) That having regard to the seriousness of the allegations and the Council's duty to public safety the Combined Hackney Carriage/Private Hire Driver Licence of the person referred to in Paper L68 be suspended for a period of 3 months, and further that this is to take immediate effect under Section 61(2B) of the Local Government (Miscellaneous Provisions) Act 1976, unless the Suffolk Constabulary decide to take no action in respect of the matter under investigation in which case the Head of Natural and Built Environment shall be authorised to lift the suspension.**
- (2) That no action be taken in respect of the Private Hire Operator's licence of the person referred to in Paper L68.**

The business of the meeting was concluded at 12.10 p.m.

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Chairman