

MINUTES OF A MEETING OF THE LICENSING AND APPEALS COMMITTEE  
HELD IN THE COUNCIL CHAMBER, COUNCIL OFFICES, CORKS LANE,  
HADLEIGH ON THURSDAY 10 NOVEMBER 2011 (11.30 a.m.)

PRESENT: Mr P J Holbrook

Mr J R B Cave  
Mr B Riley

Mr A J Ward  
Mr L H Young

Also in attendance were:-

Mr L Carvell (Licensing Officer on behalf of the Head of Natural and Built Environment)

The Applicant

Pastor Ian Copeman } supporters of  
Mr N K Charlesworth } the Applicant

Mr J Reed – Legal Advisor

1 DECLARATION OF INTERESTS

None declared.

2 QUESTIONS FROM MEMBERS

None received.

3 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.**

4 APPLICATION FOR THE RENEWAL OF A COMBINED HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER 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, and introduced those present.

The Head of Natural and Built Environment submitted a report ([Paper L99](#)) asking the Committee to determine an application for the renewal of a Combined Hackney Carriage and Private Hire Driver Licence for the person referred to in the report. Members were aware that the hearing was necessary further to their decision on 9 June 2011 to take no further action in respect of the then Licence holder, but to review the matter in the event that the Police or the Crown Prosecution Service decided to take further action.

The Licensing Officer Mr Lee Carvell, in presenting Paper L99, informed Members that the person referred to in the report (the Applicant) had now been formally charged and was due to appear in court in February 2012.

The Applicant then made an opening statement, following which he asked his two supporters to speak on his behalf as character witnesses. A letter containing Mr Copeman's comments was circulated to Members. The Applicant then responded to questions from the Licensing Officer, the Committee and the Legal Advisor.

The parties were given the opportunity to provide closing comments to the meeting following which they withdrew to enable the Committee to deliberate the application.

Members in considering whether there was sufficient reasonable cause to refuse to renew the Licence (which had expired on 17 October 2011) took into account all available information including the pending court appearance and the relevance of the charge to the renewal of the Licence applied for. Members also balanced the rights of the Applicant against the wider public interest and the Committee's duty to ensure public safety, particularly in regard to children and vulnerable adults.

The parties were then called back into the meeting and the majority decision of the Committee was notified.

**RESOLVED**

**That having regard to the pending court case, the nature of the charge and the Council's duty to ensure public safety the Combined Hackney Carriage and Private Hire Driver Licence of the person referred to in Paper L99 (the Applicant) be not renewed at this time in pursuance of the Licensing Authority's powers under Section 61 of the Local Government (Miscellaneous Provisions) Act 1976. Further, that the Licensing Authority would consider a renewal application from the Applicant once the outcome of the charge against that person is known.**

The business of the meeting was concluded at 12.20 p.m.

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Chairman