

MINUTES OF A MEETING OF THE LICENSING AND APPEALS COMMITTEE
HELD IN THE COUNCIL CHAMBER, COUNCIL OFFICES, CORKS LANE,
HADLEIGH ON THURSDAY 1 DECEMBER 2011 (11.30 a.m.)

PRESENT: Mr P J Holbrook – Chairman

Mr J R B Cave
Mr P Jones

Mr R W Thake
Mr A J Ward

Also in attendance were:-

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

1 DECLARATION OF INTERESTS

Mr R W Thake declared a personal interest in Minute No. 4 as the applicant is known to him, but stated that he was able to speak and vote on the matter.

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 GRANT OF A NEW 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 L113](#)) asking the Committee to determine an application for the grant of a new Combined Hackney Carriage and Private Hire Driver Licence for the person referred to in the report. He advised that there was an error in Paragraph 8.8 in that the CRB disclosure report should only show one conviction.

The Applicant then made an opening statement. 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 grant the Licence took into account all available information and 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 decision (which was unanimous) of the Committee was notified.

RESOLVED

That, subject to the receipt of an updated medical certificate, to include previous medical history to the satisfaction of the Licensing Officer, the Head of Natural and Built Environment be authorised to grant a new combined Hackney Carriage/Private Hire Driver Licence for the person referred to in Paper L113 as the Committee are satisfied that he is a "fit and proper" person in accordance with the Local Government (Miscellaneous Provisions) Act 1976.

The business of the meeting was concluded at 11.55 a.m.

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Chairman