

MINUTES OF A MEETING OF THE LICENSING AND APPEALS COMMITTEE (HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE LICENSING) HELD IN THE COUNCIL CHAMBER, COUNCIL OFFICES, CORKS LANE, HADLEIGH ON THURSDAY 7 FEBRUARY 2013 (10.30 a.m.)

PRESENT: Mr P J Holbrook - Chairman

Mr M J Deacon Mr R W Thake
Mr D G Grutchfield Mr A J Ward

Also in attendance at the meeting were:-

Mr L Carvell (Licensing Officer, Place Directorate) to present Paper M146.
The Applicant
Mrs K Saward (Solicitor to the Council) Legal Adviser to the Committee
Mrs L Sheppard (Senior Democratic Services Officer) Committee Clerk

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)

Members had before them Paper [M146](#) together with a copy of the Procedure for a Review Hearing, which had been circulated with the Agenda.

The Licensing Officer introduced Paper M146 asking the Committee to determine whether the application for renewal of the licence should be granted, and drew Members' attention particularly to the information submitted by the applicant which had led to the application being referred to Committee for determination. The Applicant then addressed the Committee to explain his position relative to the information supplied about his circumstances, and responded to questions from Members and the Licensing Officer.

The parties were offered the opportunity to provide closing comments to the meeting, following which they withdrew to enable the Committee to deliberate the matter.

The parties were then called back into the meeting and the decision of the Committee was notified. Members in reaching their conclusion were mindful of the Applicant's explanation of his situation, the significance of the information submitted with the application, and the human rights implications of the case. However, the Committee considered that its duty to have regard for the safety of the public was paramount, and found that the Applicant did not currently meet the requirements of Section 151 of the Local Government (Miscellaneous Provisions) Act 1976, thus putting the safety of the public at risk. The unanimous decision of the Committee therefore was that there was sufficient reasonable cause to refuse the application for renewal.

RESOLVED

That the application for renewal of the Combined Hackney Carriage and Private Hire Driver Licence submitted by the person referred to in Paper M146 be refused on the grounds of 'any other reasonable cause' pursuant to section 62(1)(d) of the Local Government (Miscellaneous Provisions) Act 1976.

The business of the meeting was concluded at 11.05 a.m.

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Chairman