

Licensing and Regulatory Sub-Committee



Forest Heath
District Council

Minutes of a meeting of the **Licensing and Regulatory Sub-Committee** held on **Monday 29 January 2018** at **10.00 am** at the **Council Chamber, District Offices**, College Heath Road, Mildenhall IP28 7EY

Present: **Councillors**

Chairman Brian Harvey
Simon Cole Carol Lynch

43. **Apologies for Absence**

There were no apologies for absence.

44. **Substitutes**

There were no substitutes at the meeting.

45. **Election of Chairman**

It was unanimously

RESOLVED:

That Councillor Brian Harvey be elected as Chairman.

46. **Exclusion of Press and Public**

With the vote being unanimous, it was

RESOLVED:

That, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as prescribed in Part 1 of Schedule 12A of the Local Government Act 1972 and indicated against each item.

47. **Review of Combined Hackney/Private Hire Driver's Licence (Exempt: Para 1) (Report No: LSC/FH/18/001)**

The Business Partner (Litigation/Licensing) welcomed all present to the Hearing, reported that no declarations of interest had been received and introductions to the Panel were made by the Chairman.

The Chairman outlined the procedure for the conduct of the Hearing as attached to the agenda.

The Licensing Enforcement Officer presented the report which explained that Members were requested to review a combined Hackney Carriage/Private Hire Driver's Licence under the provisions of Section 61 of the Local Government (Miscellaneous Provisions) Act 1976.

Members needed to be satisfied that that the driver was a fit and proper person to hold a licence issued by the Council.

The Officer drew attention to the evidence submitted at Appendix A and B of Report No LSC/FH/18/001 together with a supplementary paper that had been tabled to the meeting at the agreement of the Sub-Committee.

The Officer also outlined the steps available to Members in reaching their determination of the case before them.

The licence holder attended the meeting to present their case and answer Members' questions.

Following which the Sub-Committee retired to another room to give further consideration to the matter.

With the vote being unanimous, it was

RESOLVED:

That, having taken into account all representations received both in writing and orally, considered alongside the Licensing Authority's duty to protect the public, the Sub-Committee was satisfied that a zero tolerance position should be taken. Accordingly, **THE DRIVER'S HACKNEY/PRIVATE HIRE LICENCE WAS REVOKED.**

The Chairman verbally encouraged the driver to seek all guidance and support available.

The Business Partner (Litigation/Licensing) concluded the Hearing by advising the driver of their Right to Appeal against the determination of the Authority.

The meeting concluded at 10.28am

Signed by:

Chairman
