

Licensing and Regulatory Sub- Committee

Minutes of a meeting of the **Licensing and Regulatory Sub-Committee** held on
Monday 27 January 2020 at 4.00 pm in Room 4, College Heath Road,
Mildenhall, IP28 7EY

Present: **Councillors**

Patrick Chung
Pat Hanlon

Frank Warby

In attendance:

Carol Bull (Substitute Member – Observing)

15. **Apologies for Absence**

No apologies for absence were received.

16. **Substitutes**

No substitutions were declared.

17. **Election of Chair**

It was proposed, seconded and unanimously

RESOLVED:

That Councillor Frank Warby be elected as Chair.

18. **Exclusion of Press and Public**

It was proposed, seconded and unanimously

RESOLVED:

That the press and public be excluded during the consideration of the following items because it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the items, there would be disclosure to them of exempt categories of information as prescribed in Part 1 of Schedule 12A of the Local Government Act 1972, and indicated against the items and, in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

19. **Review of a Combined Hackney Carriage & Private Hire Driver's Licence (Exempt: Paras 1 & 2) (Report No: LSC/WS/20/001)**

(Prior to commencing this item the Business Partner (Litigation/Licensing) sought consent from the licence holder to allow Councillor Carol Bull to remain in the meeting to observe proceedings for training purposes.)

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

The Chair drew attention to the procedure for the conduct of the Hearing as attached to the agenda.

The Licensing 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 Appendices 1 – 3 of Report No LSC/WS/20/001 together the Licensed Driver Conditions held within the West Suffolk Council Hackney Carriage and Private Hire Conditions Policy Handbook, which were set out at Appendix 4.

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 licence holder, their consort and all Licensing Officers retired to another room to allow the Sub-Committee to give further consideration to the matter.

Following all parties' return to the meeting room the Business Partner (Litigation/Licensing) advised on the Sub-Committee's decision.

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 considered the matter to have been an isolated incident and therefore **TOOK NO FURTHER ACTION** in respect of the licence.

However, Members issued a warning to the licence holder on their future conduct and stressed that they must ensure compliance with the conditions of their licence in future.

The meeting concluded at 4.19pm

Signed by:

Chair
