

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Licensing Sub-Committee **Date:** 6 March 2018

Place: Council Chamber, Civic Offices, **Time:** 10.00 - 11.22 am
High Street, Epping

Members Present: S Neville (Chairman), L Hughes, C P Pond and D Sunger

Other Councillors:

Apologies:

Officers Present: A Mitchell (Assistant Director (Legal Services)), D Houghton (Licensing Compliance Officer), A Hendry (Senior Democratic Services Officer) and V Messenger (Democratic Services Officer)

70. DECLARATIONS OF INTEREST

There were no declarations of interest made pursuant to the Council's Member Code of Conduct.

71. PROCEDURE FOR THE CONDUCT OF BUSINESS

The Sub-Committee noted the agreed procedure for the conduct of business.

72. EXCLUSION OF PUBLIC AND PRESS

That, in accordance with Section 100(A)(4) of the Local Government Act 1972, the public and press should be excluded from the meeting for the items of business set out below on grounds that they will involve the likely disclosure of exempt information as defined in the following paragraph(s) of Part 1 of Schedule 12A of the Act (as amended) or are confidential under Section 100(A)(2):

Agenda Item No	Subject	Exempt Information Paragraph Number
5	Local Govt (Miscellaneous Provisions) Act 1976 Hackney Carriage Driver – Mr Darren Martin	1
6	Application for a Private Hire Vehicle Driver's Licence – Mr Billy Hutcherson	1
7	Application for a Hackney Carriage Driver's Licence – Mr Jonathan Howarth	1

8	Application for a Hackney Carriage Driver's Licence – Mr Liakath Hussain	1
9	Application for a Private Hire Vehicle Driver's Licence – Mr Pavlouris Andreas Kyriacou	1

73. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 HACKNEY CARRIAGE DRIVER - MR DARREN MARTIN

The Sub-Committee considered a review of the current Hackney Carriage Driver's Licence held by Mr D Martin. The three councillors that presided over this item were Councillor S Neville (Chairman), Councillor L Hughes and Councillor C P Pond. Members noted that Officers did not have delegated powers to determine this licence review and, as a result, the application had to be considered by the Sub-Committee.

The Chairman welcomed the Applicant and introduced the Members and Officers present. The Licensing Officer informed the Sub-Committee of the circumstances under which the Licence could not be dealt with under delegated authority.

Members were reminded by the Council's Assistant Director (Legal Services) of the relevant clauses from the Council's Hackney Carriage Driver's Licence Guidance and the Public Hire Licensing: Guidance on Decision Making.

The Applicant made a short statement in support of his application before answering a number of questions from Members of the Sub-Committee. The Applicant then made a short closing statement to the Sub-Committee before the Chairman requested that the Applicant leave the Chamber whilst the Committee considered the application.

The Chairman invited the Applicant back into the Chamber and informed him of the Sub-Committee's decision.

RESOLVED:

That a formal written warning be sent to the Applicant about his future conduct because the act of driving without due care and attention was a serious offence, but Members considered that he had learnt his lesson and so a suspension would not be appropriate on this occasion.

74. APPLICATION FOR A PRIVATE HIRE VEHICLE DRIVER'S LICENCE - MR BILLY HUTCHERSON

The Sub-Committee considered an application for a Private Hire Vehicle Driver's Licence by Mr B Hutcherson. The three councillors that presided over this item were Councillor S Neville (Chairman), Councillor C P Pond and Councillor D Sunger. Members noted that Officers did not have delegated powers to grant this application and, as a result, the application had to be considered by the Sub-Committee.

The Chairman welcomed the Applicant and introduced the Members and Officers present. The Licensing Officer informed the Sub-Committee of the circumstances under which the Licence could not be issued under delegated authority.

Members were reminded by the Council's Assistant Director (Legal Services) of the relevant clauses from the Council's Public Hire Licence Applications Guidance:

Guidance to new applicants and existing licence holders and the Public Hire Licensing: Guidance on Decision Making.

The Applicant made a short statement in support of his application before answering a number of questions from Members of the Sub-Committee. The Applicant then made a short closing statement to the Sub-Committee before the Chairman requested that the Applicant leave the Chamber whilst the Committee considered the application.

The Chairman invited the Applicant back into the Chamber and informed him of the Sub-Committee's decision.

RESOLVED:

That the application for a Private Hire Vehicle Driver's Licence by Mr B Hutcherson be granted for a period of three years, subject to the applicant passing the Council's knowledge test.

75. APPLICATION FOR A HACKNEY CARRIAGE DRIVER'S LICENCE - MR JONATHAN HOWARTH

The Sub-Committee considered an application for a Hackney Carriage Driver's Licence by Mr J Howarth. The three councillors that presided over this item were Councillor S Neville (Chairman), Councillor L Hughes and Councillor C P Pond. Members noted that Officers did not have delegated powers to grant this application and, as a result, the application had to be considered by the Sub-Committee.

The Chairman welcomed the Applicant and introduced the Members and Officers present. The Licensing Officer informed the Sub-Committee of the circumstances under which the Licence could not be issued under delegated authority.

Members were reminded by the Council's Assistant Director (Legal Services) of the relevant clauses from the Council's Hackney Carriage Driver's Licence Guidance and the Public Hire Licensing: Guidance on Decision Making.

The Applicant made a short statement in support of his application before answering a number of questions from Members of the Sub-Committee. The Applicant then made a short closing statement to the Sub-Committee before the Chairman requested that the Applicant leave the Chamber whilst the Committee considered the application.

The Chairman invited the Applicant back into the Chamber and informed him of the Sub-Committee's decision.

RESOLVED:

- (1) That the application for a Hackney Carriage Driver's Licence by Mr J Howarth be granted for a period of three years, subject to the applicant passing the Council's knowledge test; and
- (2) That the Applicant was considered to be a fit and proper person as all his convictions were long in the past and he had been an HGV driver for 20 years.

76. APPLICATION FOR A HACKNEY CARRIAGE DRIVER'S LICENCE - MR LIAKATH HUSSAIN

The Sub-Committee considered an application for a Hackney Carriage Driver's Licence by Mr L Hussain. The three councillors that presided over this item were Councillor S Neville (Chairman), Councillor C P Pond and Councillor D Sunger. Members noted that Officers did not have delegated powers to grant this application and, as a result, the application had to be considered by the Sub-Committee.

The Chairman welcomed the Applicant and introduced the Members and Officers present. The Licensing Officer informed the Sub-Committee of the circumstances under which the Licence could not be issued under delegated authority.

Members were reminded by the Council's Assistant Director (Legal Services) of the relevant clauses from the Council's Hackney Carriage Driver's Licence Guidance and the Public Hire Licensing: Guidance on Decision Making.

The Applicant made a short statement in support of his application before answering a number of questions from Members of the Sub-Committee. The Applicant then made a short closing statement to the Sub-Committee before the Chairman requested that the Applicant leave the Chamber whilst the Committee considered the application.

The Chairman invited the Applicant back into the Chamber and informed him of the Sub-Committee's decision.

RESOLVED:

That the application for a Hackney Carriage Driver's Licence by Mr L Hussain be granted for a period of three years, subject to the applicant passing the Council's knowledge test.

77. APPLICATION FOR A PRIVATE HIRE VEHICLE DRIVER'S LICENCE - MR PAVLOURIS ANDREAS KYRIACOU

The Sub-Committee considered an application for a Private Hire Vehicle Driver's Licence by Mr P A Kyriacou. The three councillors that presided over this item were Councillor S Neville (Chairman), Councillor L Hughes and Councillor C P Pond. Members noted that Officers did not have delegated powers to grant this application and, as a result, the application had to be considered by the Sub-Committee.

The Chairman welcomed the Applicant and introduced the Members and Officers present. The Licensing Officer handed out extra information relevant to the application and informed the Sub-Committee of the circumstances under which the Licence could not be issued under delegated authority.

Members were reminded by the Council's Assistant Director (Legal Services) of the relevant clauses from the Council's Public Hire Licence Applications Guidance: Guidance to new applicants and existing licence holders and the Public Hire Licensing: Guidance on Decision Making.

The Applicant made a short statement in support of his application before answering a number of questions from Members of the Sub-Committee. The Applicant then made a short closing statement to the Sub-Committee before the Chairman requested that the Applicant leave the Chamber whilst the Committee considered the application.

The Chairman invited the Applicant back into the Chamber and informed him of the Sub-Committee's decision.

RESOLVED:

- (1) That the application for a Private Hire Vehicle Driver's Licence by Mr P A Kyriacou be granted for a period of three years, subject to the applicant passing the Council's knowledge test;
- (2) That the Applicant was a fit and proper person to hold a driver's licence. The Licensing Sub-Committee had serious concerns about his recent speeding convictions but two years had almost lapsed since the last conviction; and
- (3) That the Licence be granted but a written warning be given that any further offences would be treated seriously.

CHAIRMAN