

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Licensing Sub-Committee **Date:** 2 April 2009

Place: Council Chamber, Civic Offices, **Time:** 10.00 - 11.45 am
High Street, Epping

Members Present: Mrs R Gadsby, Mrs M McEwen, Mrs P Smith and J Wyatt

Other Councillors:

Apologies: M Cohen

Officers Present: R Ferriera (Assistant Solicitor), K Tuckey (Senior Licensing Officer) and M Jenkins (Democratic Services Assistant)

85. APOLOGIES FOR ABSENCE

Councillor M Cohen had given his apologies for this meeting. Councillor Mrs M McEwen was kind enough to take his place on the Panel.

86. ELECTION OF CHAIRMAN

RESOLVED:

That, in accordance with the Terms of Reference for the Licensing Committee, Councillor Mrs P Smith be elected Chairman for the duration of the Sub-Committee meeting.

87. DECLARATIONS OF INTEREST

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

88. PROCEDURE FOR THE CONDUCT OF BUSINESS

The Sub-Committee noted the agreed procedure for the conduct of business, and the Terms of Reference.

89. EXCLUSION OF PUBLIC AND PRESS

RESOLVED:

That, in accordance with Section 100 (A) (4) of the Local Government Act 1972, the public and press be excluded from the meeting for the item of business set out below as it would involve the likely disclosure of exempt information as defined in the paragraphs of Part 1 of Schedule 12 (A) of the act indicated and the exemption is considered to outweigh the potential public interest in disclosing the information:

Agenda

Subject

Exempt Information

<u>Item No</u>		<u>Paragraph Number</u>
6	Hackney Carriage Driver's Licence – Mr Locke	1
7	Hackney Carriage Driver's Licence – Mr Goodman	1
8	Hackney Carriage Driver's Licence – Mr Kelali	1
9	Hackney Carriage Vehicle Licence – Mr Byrne	1
10	Hackney Carriage Vehicle Licence – Mr Kainth	1
11	Hackney Carriage Vehicle Licence – Mr Harmer	1
12	Hackney Carriage Vehicle Licence – Mr Linard	1
13	Hackney Carriage Vehicle Licence – Mr Skinner	1
14	Hackney Carriage Vehicle Licence – Mr Snell	1
15	Hackney Carriage Vehicle Licence – Mr Perry	1
16	Hackney Carriage Vehicle Licence – Mr Smith	1
17	Hackney Carriage Vehicle Licence – Mr Whiffen	1
18	Hackney Carriage Vehicle Licence – Mr Kabir	1
19	Hackney Carriage Vehicle Licence – Mr Gregory	1

90. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - APPLICATION FOR A HACKNEY CARRIAGE DRIVER'S LICENCE - MR M LOCKE

The Sub-Committee considered an application by Mr M Locke for a Hackney Carriage Driver's Licence. The three Councillors that presided over this item were councillors Mrs R Gadsby, Mrs M McEwen and Mrs P Smith. 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 Assistant Solicitor informed the Sub-Committee of the circumstances under which the license could not be issued under delegated authority.

The applicant made a short statement to the Sub-Committee in support of his application, before answering a number of questions from members of the Sub-Committee. The Chairman requested that the applicant leave the chamber whilst the Sub-Committee debated his application in private. The Chairman invited the applicant back into the chamber and informed him of the Sub-Committee's decision.

RESOLVED:

That a Hackney Carriage Driver's Licence be granted to Mr M Locke, subject to the Council's standard terms and conditions.

91. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - APPLICATION FOR A HACKNEY CARRIAGE DRIVER'S LICENCE - MR S GOODMAN

The Sub-Committee considered an application by Mr S Goodman for a Hackney Carriage Driver's Licence. The three Councillors that presided over this item were Councillors Mrs R Gadsby, Mrs M McEwen and Mrs P Smith. 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 Assistant Solicitor informed the Sub-Committee of the circumstances under which the license could not be issued under delegated authority.

The applicant made a short statement to the Sub-Committee in support of his application, before answering a number of questions from members of the Sub-Committee. The Chairman requested that the applicant leave the chamber whilst the Sub-Committee debated his application in private. The Chairman invited the applicant back into the Chamber and informed him of the Sub-Committee's decision.

RESOLVED:

That a Hackney Carriage Driver's Licence be granted to Mr S Goodman, subject to the Council's standard terms and conditions.

92. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - APPLICATION FOR A HACKNEY CARRIAGE DRIVER'S LICENCE - MR H KELALI

The Sub-Committee considered an application by Mr H Kelali for a Hackney Carriage Driver's Licence. The three Councillors that presided over this item were Councillors Mrs R Gadsby, Mrs M McEwen and Mrs P Smith. 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 Assistant Solicitor informed the Sub-Committee of the circumstances under which the licence could not be issued under delegated authority.

The applicant made a short statement to the Sub-Committee in support of his application, before answering a number of questions from members of the Sub-Committee. The Chairman requested that the applicant leave the chamber whilst the Sub-Committee debated his application in private. The Chairman invited the applicant back into the Chamber and informed him of the Sub-Committee's decision.

RESOLVED:

That the application by Mr H Kelali for a Hackney Carriage Driver's Licence be refused because he did not meet the Council's Licensing Criteria in that his record from the Criminal Records Bureau revealed relevant offences under the conviction criteria.

93. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - HACKNEY CARRIAGE VEHICLE LICENCE - MR J BYRNE

The Licensing Unit had identified a breach in the licence conditions of Mr J Byrne's Hackney Carriage Vehicle Licence regarding a taxi inspection test being undertaken by February 2009. At the meeting the Senior Licensing Officer informed the members

that since the agenda of this meeting had been published, the required inspection had been satisfactorily completed.

94. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - HACKNEY CARRIAGE VEHICLE LICENCE - MR J KAINTH

The Licensing Unit had identified a breach in the licence conditions of Mr J Kainth's Hackney Carriage Vehicle Licence regarding a taxi inspection test being undertaken by February 2009. At the meeting the Senior Licensing Officer informed the members that since the agenda of this meeting had been published, the required inspection had been satisfactorily completed.

95. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - HACKNEY CARRIAGE VEHICLE LICENCE - MR S HARMER

The Licensing Unit had identified a breach in the licence conditions of Mr S Harmer's Hackney Carriage Vehicle Licence regarding a taxi inspection test being undertaken by February 2009. At the meeting the Senior Licensing Officer informed the members that since the agenda of this meeting had been published, the required inspection had been satisfactorily completed.

96. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - HACKNEY CARRIAGE VEHICLE LICENCE - MR G LINARD

The Licensing Unit had identified a breach in the licence conditions of Mr G Linard's Hackney Carriage Vehicle Licence regarding a taxi inspection test being undertaken by February 2009. It was noted that Mr G Linard was currently unwell and was not driving. His Hackney Carriage Vehicle Licence plate had been returned to the Licensing Unit. The Sub-Committee noted that Mr G Linard would undertake the vehicle test when he had recovered.

97. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - HACKNEY CARRIAGE VEHICLE LICENCE - MR N SKINNER

The Licensing Unit identified a breach in the licence conditions of Mr N Skinner's Hackney Carriage Vehicle Licence regarding a taxi inspection test being undertaken by February 2009. At the meeting the Senior Licensing Officer informed the members that since the agenda of this meeting had been published, the required inspection had been satisfactorily completed.

98. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - HACKNEY CARRIAGE VEHICLE LICENCE - MR S SNELL

The Licensing Unit had identified a breach in the licence conditions of Mr S Snell's Hackney Carriage Vehicle Licence regarding a taxi inspection test being undertaken by February 2009. The Sub-Committee noted that Mr S Snell's inspection had not been completed.

RESOLVED:

That the Hackney Carriage Vehicle Licence of Mr S Snell be suspended until such time as the interim test on his vehicle is carried out.

99. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - HACKNEY CARRIAGE VEHICLE LICENCE - MR P PERRY

The Licensing Unit had identified a breach in the licence conditions of Mr P Perry's Hackney Carriage Vehicle Licence regarding a taxi inspection test being undertaken by February 2009. At the meeting the Senior Licensing Officer informed the members that since the agenda of this meeting had been published, the required inspection had been satisfactorily completed.

100. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - HACKNEY CARRIAGE VEHICLE LICENCE - MR P SMITH

The Licensing Unit had identified a breach in the licence conditions of Mr P Smith's Hackney Carriage Vehicle Licence regarding a taxi inspection test being undertaken by February 2009. The Sub-Committee noted that Mr P Smith's inspection had not been completed.

RESOLVED:

That the Hackney Carriage Vehicle Licence of Mr P Smith be suspended until such times as the interim test on his vehicle is carried out.

101. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - HACKNEY CARRIAGE VEHICLE LICENCE - MR P WHIFFEN

The Licensing Unit had identified a breach in the licence conditions of Mr P Whiffen's Hackney Carriage Vehicle Licence regarding a taxi inspection test being undertaken by February 2009. At the meeting the Senior Licensing Officer informed the members that since the agenda of this meeting had been published, the required inspection had been satisfactorily completed.

102. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - HACKNEY CARRIAGE VEHICLE LICENCE - MR S KABIR

The Licensing Unit had identified a breach in the licence conditions of Mr S Kabir's Hackney Carriage Vehicle Licence regarding a taxi inspection test being undertaken by February 2009. At the meeting the Senior Licensing Officer informed the members that since the agenda of this meeting had been published, the required inspection had been satisfactorily completed.

103. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - HACKNEY CARRIAGE VEHICLE LICENCE - MR T GREGORY

The Licensing Unit had identified a breach in the licence conditions of Mr T Gregory's Hackney Carriage Vehicle Licence regarding a taxi inspection test being undertaken by February 2009. At the meeting the Senior Licensing Officer informed the members that since the agenda of this meeting had been published, the required inspection had been satisfactorily completed.

CHAIRMAN