

BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
LICENSING SUB-COMMITTEE

Minutes of the Meeting held on 09 July 2019 at 10.00 am

Present:-

– Chairman

– Vice-Chairman

Present: Cllr R Burton, Cllr N Decent and Cllr D A Flagg

Also in attendance: Cllr G Farquhar

13. Election of Chairman

RESOLVED that Councillor D Flagg be elected Chairman of the Sub-Committee for the duration of the meeting.

Nominated by Councillor R Burton
Seconded by Councillor N Decent

Voting: Unanimous

14. Apologies

There were no apologies for absence received for this meeting.

15. Declarations of Interests

There were no declarations of interest.

16. Exclusion of Press and Public

RESOLVED TO:

That the Committee agreed to exclude the press and public for items 5 and 6 of the agenda, under Section 100(A)(4) of the Local Government Act 1972 on the grounds of the likely disclosure of exempt information as defined in Paragraphs 1 and 2 in Part I of Schedule 12A of the Act and that the public interest in withholding the information outweighs such interest in disclosing the information.

17. Review of a Public Carriage Driver's Licence

The Chairman made introductions and explained the procedure for the hearing which was agreed by all parties.

The Licensing Officer introduced a non-public report, marked '5', concerning the review of a Public Carriage Driver's Licence. It was heard

that the Taxi Licensing Office had received information from Dorset Police following allegations of sexual assault made against a hackney carriage driver, licensed by Bournemouth, Christchurch and Poole Council.

There were no representatives from Dorset Police present at the meeting. The Licensing Sub-Committee were asked to decide whether to caution the named driver, suspend the named driver's licence for a specific period of time, or revoke the named driver's licence.

The Licensing Sub-Committee considered the written evidence presented in the report and subsequent appendices. All parties present at the meeting had the opportunity to make verbal representations as well as ask questions.

RESOLVED TO:

Revoke the Public Carriage Driver Licence on public safety grounds as per Section 61 2b of the Local Government Miscellaneous Provisions Act 1976, with immediate effect.

The Licensing Sub-Committee agreed that the named driver was not of 'fit and proper' character to hold a Public Carriage Licence, as per the Local Government Miscellaneous Provisions Act 1976. Members agreed that this was due to the allegations made against the named driver, as well as the discrepancy in his version of events, on separate occasions.

18. Application for a Public Carriage Driver's Licence

The Chairman made introductions and explained the procedure for the hearing which was agreed by all parties.

The Licensing Officer introduced a non-public report, marked '6', concerning an application for a Public Carriage Driver's Licence. It was heard that the Taxi Licensing Office had received an application for a new Public Carriage Licence from an individual who had previously held a Private Hire Driver Licence that was revoked in 2016, following allegations of inappropriate, sexual comments to passengers. The Licensing Sub-Committee were asked to decide whether the new application for a Public Carriage Licence should be accepted, refused or any other action taken.

The Licensing Sub-Committee considered the written evidence presented in the report and subsequent appendices. All parties present at the meeting had the opportunity to make verbal representations as well as ask questions, including the named driver and his partner.

RESOLVED TO:

Refuse the application for a Public Carriage Driver as there was insufficient evidence to demonstrate that the named driver was of 'fit and proper character' to hold a new Public Carriage Driver Licence. The Sub-

Committee agreed in the intervening period since the Court finding in 2017, whereby the named driver's original Public Driver Licence was revoked, the named driver still took the view that he had done nothing wrong. Members heard that the named driver often mis-uses words and mis-interprets what is said to him.

The Sub-Committee based their decision on the written evidence provided prior to the meeting and verbal representations provided at the meeting, by all parties.

The meeting ended at 12:05.

The meeting was adjourned from 10:30 to 10:45 and from 11:15 to 12:00.

CHAIRMAN