

BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
LICENSING SUB-COMMITTEE

Minutes of the Meeting held on 27 May 2021 at 10.00 am

Present: Cllr J Bagwell, Cllr J J Butt and Cllr T Johnson

7. Election of Chairman

RESOLVED that Councillor Judes Butt be elected Chairman of the Sub-Committee for the duration of the meeting.

Voting: Unanimous

8. Apologies

The Chairman advised that Councillor David Brown had submitted apologies and that Councillor Julie Bagwell would be taking on the role of one of the Licensing Sub Committee members, in her capacity as a reserve member.

9. Declarations of Interests

There were no declarations of interest.

10. Exclusion of Press and Public

RESOLVED that under Section 100 (A)(4) of the Local Government Act 1972, the 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 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.

11. Review of Private Hire Driver's Licence

This item was restricted by virtue of paragraphs 1 and 2 of Schedule 12A of the Local Government Act 1972.

Exempt information – Categories 1 (information relating to any individual) and 2 (information which is likely to reveal the identity of an individual).

Attendance:

From BCP Council:

Wesley Freeman – Passenger Transport Co-ordinator
Tanya Coulter – Legal Advisor to the Sub-Committee
Michelle Cutler – Democratic Services Officer and Clerk to the Sub -
Committee

The Driver was also in attendance.

The Passenger Transport Co-ordinator presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'A' to these Minutes in the Minute Book.

Councillors were asked to decide whether the driver remained a 'fit and proper' person to hold a Private Hire Driver's licence in the Bournemouth Zone.

The Sub Committee asked various questions of all parties present and were grateful for the responses received.

All parties were invited to sum up before the Sub Committee retired to make its decision. Before concluding the Hearing, the Legal Advisor advised all parties of the right of appeal.

It was RESOLVED that having considered the written report at Agenda Item 5 and the verbal submissions of Wesley Freeman, Passenger Transport Co-ordinator, and the Driver, together with all responses to the questions asked of both parties, the Sub-Committee is satisfied that the Driver remains a 'fit and proper' person to continue to hold a Private Hire Driver's Licence in the Bournemouth Zone, however, the Sub-Committee resolved to issue the Driver a strict warning to remind him of the seriousness of the matter brought before them.

The Sub-Committee took into consideration the written documents and information contained in Agenda Item 5; the Bournemouth Public Carriage Conditions, Bylaws and Guidance, the Bournemouth Taxi Policy, the provisions of the Local Government (Miscellaneous Provisions) Act 1976 and the Institute of Licensing (IOL) Guidance on determining the suitability of applicants and licensees in the hackney and private hire trades.

Right of Appeal

All parties to the application have the right to Appeal to the Magistrates Court within the period of 21 days beginning with the day on which the Applicant is notified by the Licensing Authority of the decision in writing.

Voting - Unanimous

The meeting ended at 11.10 am

CHAIRMAN